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LAWS

OF

NEW-YORK,

FROM

The Year 1691, to 1751, inclusive.

Published according to an ACT *of the* GENERAL ASSEMBLY.

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A

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THE

PREFACE.

A DESCRIPTION of the Method and Plan of the following Work, being too long to throw into the Title Page, it was thought proper, for the Eaſe and Satisfaction of the Reader, to give a brief View and Explanation of it, by Way of Preface.

THE enſuing Collection, contains all the publick Acts now in force, that have been paſſed by the Legiſlature of this Province, ſince the Revolution (or rather ſince the Year 1691, *which is the firſt Year after the Revolution, in which any Acts were paſſed) to the Year* 1751, *incluſive.*

WE have conſtantly diſtinguiſhed, by marginal Notes, ſuch Acts as are Expired, Revived, Continued, Explained, Altered, Confirmed *or* Private ; *and which have made a further* Proviſion, *than was made by Acts antecedent to them ; which, were left* Probationary, *and which are* Obſolete *or* Repealed ; *with mutual References to ſuch as have any Relation to each other ; and to every Act, noted the Time when it was paſſed. We ſhould alſo have been glad, to have given the Times of their reſpective Publications, but the Clerks of the Minutes to which we had Recourſe, have not always been ſo careful, as to enter thoſe Publications ; and when they have, the Day of their Publication and Paſſing, we always found to be the ſame.*

ALL the Acts now in force and uſe, are printed at large ; but of thoſe that are Repealed, Expired, Obſolete *or* Private, *we have only given the Titles ; and of thoſe, whereof only one, or a few Sections, are in force, we have publiſhed ſuch Section or Sections at large, with a Note, ſignifying the Reſt to be either* Repealed, Obſolete *or* Expired.

OF every Act printed at large, we have abſtracted the Subſtance on the Margin, that the Reader may the more readily find the Contents ; and this we have endeavoured to make, as regular a Digeſt of the Text, as the Connection of the Matter of the Act, and the Space allotted for the Margin, would admit of.

WE have diſtinguiſhed the Aſſemblies, *and their reſpective* Seſſions, *in which Laws were enacted, with as much Accuracy, as the confuſed Entries of the Council Books, could direct us to*; Adjournments *and* Prorogations, *being both made, till very lately, by the Governor, or Commander in Chief, and uſed by the Clerks, as ſynonimous Terms.*

WE have alſo added, the Name of the Governor, or Commander in Chief, by whom the reſpective Acts were aſſented to; *which, although not required by the Legiſlature, we conceived might be both ornamental to the Work, and agreeable to the Publick.*

AMONG the Acts that are loſt, there are ſome which, by the printed Copies, appear to be ſtill in force; *but, as thoſe Copies are no Authority to juſtify our printing them, we have only given the Titles of ſuch Acts, with a Note on the Margin, of their being loſt*; *except a few, which were of ſuch very general Concernment, that we were adviſed to publiſh them* entire, *from the printed Copies, tho' the Originals were miſſing. And it is to be obſerved, that all the Acts that are printed, from the Year* 1691, *to* 1699, *we have copied from their Enrolments, not one of their Originals being to be found: And here we beg Leave further to advertiſe the Publick, That when we ſay an Act is* Loſt, *we mean no more, than that upon the moſt diligent Search in the Office, we were not able to find it: Nor will it perhaps be improper to acquaint the Reader, that we have uſed the Term,* Obſolete, *only to ſignify, that the Acts ſo noted, were made for ſome particular Purpoſes, which have accordingly been carried into Execution*; *or in other Words, that thoſe Acts have had their Effect, or are of no uſe at preſent.*

WE were ſurpriſed to find by the printed Editions, that ſeveral Acts have been publiſhed, which probably have been practiſed upon, that never were paſſed by the whole Legiſlature; *and others, that have been duly* Enacted, *wholly omitted*; *and all the Editions that we have ſeen, ſo exceedingly erroneous, not only in Reſpect of the Time in which they place the Paſſing of the Acts, and in their* Repeals, Expirations, *and* Confirmations, *but alſo in the Acts themſelves*; *that it is more than probable, they were never examined with their Originals*; *in Regard to which* Confirmations *and* Repeals, *it is further to be remarked, That we having noted all that could be found in the Office, or on the Minutes, the ſaid Editions are* now, *no further to be depended upon, than they agree with ſuch Notes*; *tho' the Publiſhers might have had Vouchers to authenticate them, which may be now loſt: And this Obſervation will naturally prevent the Reader's Surpriſe, at ſeeing ſo many more* Repeals *and* Confirmations *in thoſe Editions, than in this Work*; *and by the Bye, ſerve to ſhew, the Neceſſity of entring them in the Council Books, and Journals of Aſſembly.*

WHERE

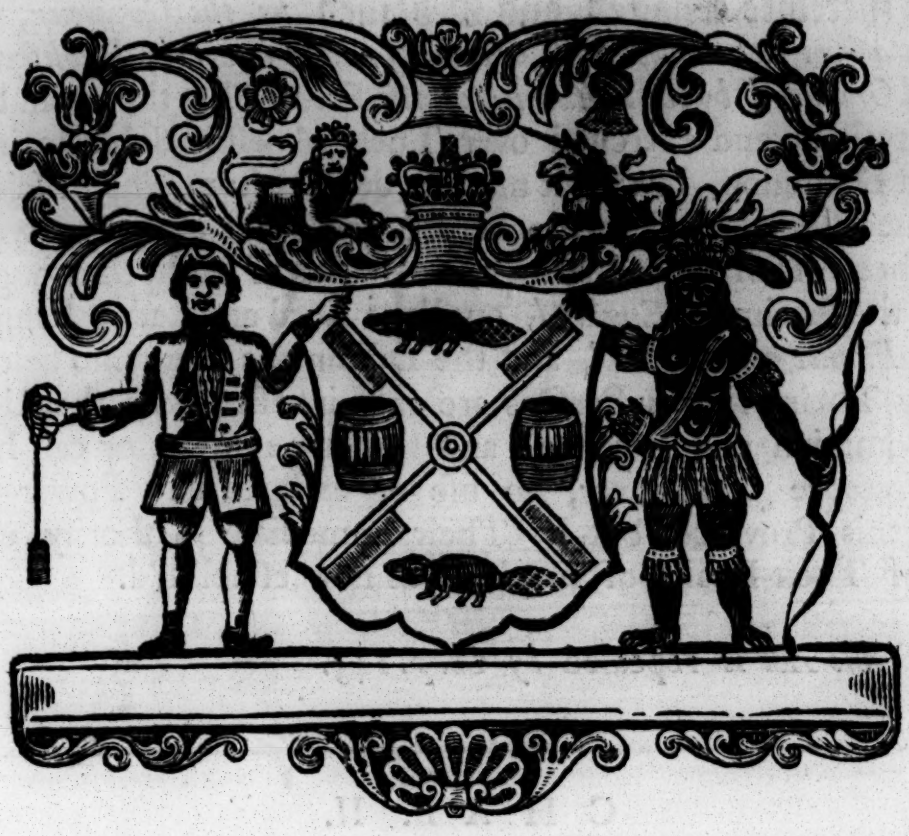
WHERE any Act hath been altered or explained, by any ſubſequent Act or Acts, we have not only referred to the Act, making ſuch Alteration or Explanation, but ſometimes added the Subſtance of it on the Margin, to ſave the Trouble of a Recourſe to the Act referred to.

TO the Whole is added, a copious Index, or Abridgement, in which the Subſtance of all the Acts in force, is as largely inſerted under its proper Title, as was neceſſary for the Purpoſes and Uſe of an Index.----Where a Thing was alike reduceable, to two or more general Heads or Titles, we have accordingly, for the Eaſe of the Reader, made ſuch different Heads, referring to the Title where the Thing wanted, is epitomiſed; which directs to the Chapter, the Section and Page. This is another Thing not required by the Act for reviſing the Laws; but as we conceived it conducive to the Reader's Diſpatch, we flatter ourſelves it will not be conſidered as a blameable Deviation therefrom.

TO make the Work as correct as poſſible, it has been carefully collected, from the original Acts, or the Enrolments of them, the Minutes of Council, the Journals of the Aſſembly, and many publick and authentick Papers in the Secretary's-Office; and examined with the utmoſt Caution.----We ſhall not however, after all, be ſurpriſed to find, a few Miſtakes more than are rectified in the Errata; *which, tho' ſome may plume themſelves upon, and maliciouſly repreſent as Matters of Moment, to damn the Edition, we doubt not, every candid Reader will eaſily pardon, if he conſiders, that it is the firſt regular Collection of our Laws, that has ever been publiſhed, together with, the incredible Confuſion and Chaos, out of which it is compoſed.*

New-York, 1ſt May, 1752.

WILLIAM LIVINGSTON,
WILLIAM SMITH, *jun.*



The First Assembly, held in the Third Year of the Reign of King *WILLIAM* and Queen *MARY*, begun the Ninth of *April*, 1691.

FIRST SESSIONS.

HENRY SLOUGHTER, Esq; Governor.

CHAP I.

An ACT *for Quieting and Settling the Disorders that have lately happened within this Province; and for Establishing and Securing Their Majesties present Government against the like Disorders for the Future.*

Pass'd the 6th of May, 1691.

FORASMUCH as the Good and Quiet, Ease, Profit, Benefit, and Advantage of the Inhabitants within this Province, doth chiefly consist in, and altogether rely and depend upon, their bearing true Faith and Allegiance unto Their Majesties Crown of ENGLAND, which is, and can only be, the Support and Defence of this Province: AND whereas the late hasty and inconsiderate Violation of the same, by the Setting up a Power over Their Majesties Subjects, without Authority from the Crown of *England*, hath vitiated and debauched the Minds of many People, *&c.* and hath also brought great Waste, Trouble and Destruction upon the good People of this Province, Their Majesty's loyal Subjects: For the Prevention whereof, in the Time to come; Preamble.

3d *Wm.* and *Mary*, A. D. 1691.

No Power to be exerciſed over their Majeſties Subjects, but what is derived from their Majeſties.

King *William* and Queen *Mary* recognized as King and Queen of *England*, &c.

I. **Be it therefore Enacted and Ordained** *by the Governor, and Council, and Repreſentatives met in General Aſſembly, and it is hereby Publiſhed, Declared, Enacted and Ordained by the Authority of the ſame,* That there can be no Power and Authority held and exerciſed over Their Majeſties Subjects in this Their Province and Dominion, but what muſt be derived from Their Majeſties, Their Heirs and Succeſſors. And we do hereby recognize and acknowledge, That Their Majeſties WILLIAM and MARY, are, and as of Right they ought to be, by the Laws of the Realm of *England,* our liege Lord and Lady, King and Queen of *England, France* and *Ireland,* and the Dominions thereunto belonging, *&c.* That thereby Their Princely Perſons are only inveſted with the Right to Rule this Their Dominion and Province; and that none ought or can have Power, upon any Pretence whatſoever, to uſe or exerciſe any Power over Their Subjects in this Province, but by Their immediate Authority under Their Broad Seal of Their Realm of *England,* as now eſtabliſh'd.

The Reſt of this Act is repealed *by Chap.* 145.

CHAP. II.

An ACT *for Settling, Quieting and Confirming unto the Cities, Towns, Manors, and Freeholders within this Province, their ſeveral Grants, Patents and Rights reſpectively.*

Paſs'd the 6th of May, 1691.

Preamble.

FORASMUCH as the many Changes, Alterations, and Diſturbances, that have been lately given unto Their Majeſties Subjects inhabiting within this Their Province, hath and doth very much diſcourage the Settling, Improving, and the Growth and Strength thereof; and that it is now abſolutely neceſſary, for the quieting and ſatisfying Their Majeſties good Subjects within the ſame, that the Rights and Privileges formerly held by, and granted to, the reſpective Cities, Towns, Manors, and Freeholders within this Province, *&c.* ſhould be now ratified and confirmed:

All the Charters, Patents & Grants, under the Seal of this Province, and regiſtred in the Secretary's Office, ſhall be good in Law, notwithſtanding the want of Form, *&c.* required by the ſaid Charters, *&c.*

I. **Be it therefore Enacted** *by the Governor, Council, and Repreſentatives convened in General Aſſembly, and it is hereby Enacted and Declared by the Authority of the ſame,* That all the Charters, Patents, and Grants, made, given, and granted, and well and truly executed under the Seal of this Province, conſtituted and authoriſed by their late and preſent Majeſties, the Kings of *England,* and regiſtred in the Secretary's Office, unto the ſeveral and reſpective Corporations or Bodies Politick of the Cities, Towns, and Manors, and alſo to the ſeveral and reſpective Freeholders within this Province, are and ſhall for ever be deemed, eſteemed, and reputed good and effectual Charters, Patents, and Grants authentick in the Law, againſt Their Majeſties, Their Heirs, and Succeſſors, for ever, notwithſtanding of the Want of Form in the Law, or the Non-feizance of any Right, Privilege, or Cuſtom, which ought to have been done heretofore by the Conſtitutions and Directions contain'd in the reſpective Charters, Patents, and Grants aforeſaid.

All Charters, Patents & Grants heretofore made, as aforeſaid, are confirmed.

II. **And be it further Enacted** *by the Authority aforeſaid,* That all the Charters, Patents, and Grants, made, given, and granted, as aforeſaid, unto all and every the ſeveral and reſpective Corporations or Bodies Politick of the Cities, Towns, and Manors, and their Succeſſors, and alſo unto all and every the reſpective Freeholders, their Heirs and Aſſigns, for ever, within this Province, are, to all Intents

3d *Wm.* and *Mary*, A. D. 1691.

Intents and Purposes whatsoever, hereby ratified and confirmed, to have, hold, exercise, occupy, possess, and enjoy all their and every of their former Rights, Customs, Prerogatives, Privileges, Preheminencies, Practices, Immunities, Liberties, Franchises, Royalties, and Usages whatsoever, in as full and ample Manner as if none of these Changes, Alterations, Disturbances, Want of other Forms in the Law, or the Non-feizance of any Rights, Privileges, or Customs of any of the Corporations aforesaid, had never happened, or been neglected; any Thing herein contained, or in any other Law to the contrary in any wise notwithstanding. Provided, That nothing herein contained, shall be construed or taken, to bar any Person or Persons, of his or their former and just Right or Pretences, to any House, Tract, or Parcel of Land within this Province: Always provided, That he or they that have any such just Right or Pretence, do make his or their Claim within the Space of Five Years next after the Date hereof. And also provided, That nothing herein contained shall be intended or construed to the Prejudice or Hindrance of the Title or Claim of any Person under Age, Feme Covert, *Non Compos Mentis*, Imprisonment, or beyond the Seas.

Provided that nothing in this Act be construed to bar any Persons of their former Rights, if they claim within five Years.

Nor prejudice Infants, &c.

CHAP. III.

An ACT *for enabling each respective Town within this Province, to regulate their Fences and Highways, and make prudential Orders for their Peace and orderly Improvements.*

Pass'd the 6th of May, 1691.

Preamble.

WHEREAS the respective Towns within this Province, &c. are so circumstanced as to have different and distinct Ways in their Improvements, of Tillage and Pasturage; and that it is altogether necessary, that they may be qualified and made capable in the Law, to make such prudential Rules and Orders for the better Improvement of their respective Towns, and the Regulating their Fences and Highways accordingly:

A Majority of the Freeholders impowered to make Orders for the Improvement of their Lands.

I. **Be it therefore Enacted** *by the Governor and Council, and the Representatives met in General Assembly, and by the Authority of the same*, That the Freeholders of every respective Town within this Province, are hereby impowered and authorized to meet and assemble themselves together, at such Times and Places as are appointed and expressed in their respective Grants and Patents; and when so assembled, to make, establish, constitute, and ordain, from time to time, such prudential Orders and Rules, for the better improving of their respective Lands in Tillage, Pasturage, or any other reasonable Way, as shall, by the Majority of Freeholders so assembled or convened, as aforesaid, be thought good and convenient.

And annually to chuse three Surveyors of the Highways and Fences; who are impowered to lay out and amend such Highways and Fences.

II. **And also**, When the Freeholders of each respective Town within this Province are assembled, as aforesaid, they are hereby further authorized and impowered to nominate and make choice in each of their respective Towns, annually, and once every Year, three Persons, to be Surveyors and Orderers of the Work, for the Laying out and the Amendment of the Highways and Fences within the Bounds and Limits of their respective Towns within this Province; which Persons, so nominated and chosen, shall take upon them the said Office; and are hereby impowered to lay out, set forth, regulate, and amend all such Highways and Fences as shall be established, in such Manner, Form, and Way, as shall be agreed upon and directed by the Majority of the Freeholders of each of

3d *Wm. & Mary.* A. D. 1691.

of their reſpective Towns, as aforeſaid. *Always provided*, That ſuch Orders as are made, conſtituted, and ordained, ſhall be kept and regiſtred in the Town's Book for that Purpoſe, and conſented to, and approved, by the next Court of Seſſions of the Peace, in the Counties where the reſpective Towns; are otherwiſe to be of no Force nor Virtue whatſoever.

Provided, that all the Orders to be made, be regiſtred in the Town's Book. &c.

CHAP. IV.

Expir'd 6th of May, 1693.

An ACT *for Eſtabliſhing Courts of Judicature for the Eaſe and Benefit of each reſpective City, Town, and County within this Province, for two Years.*

Paſs'd the 6th of May, 1691.

CHAP. V.

Some Defects in this Act were ſupplied by Ch. 95. Repealed by Ch. 114.

An ACT *for Settling the Militia.*

Paſs'd the 6th of May, 1691.

CHAP. VI.

Repealed by Ch. 96, *except what relates to Vagabonds.* Explain'd by Ch. 133.

An ACT *for the defraying the Publick and neceſſary Charge throughout this Province, and for maintaining the Poor, and preventing Vagabonds.*

Paſs'd the 13th of May, 1691.

The SECTIONS *relating to Vagabonds, are as follows.*

IV. AND for the Prevention and Diſcouragement of Vagabonds, and idle Perſons to come into this Province from other Parts, and alſo from one Part of the Province to another; **Be it Enacted** *by the Authority aforeſaid*, That all Perſons that ſhall come to inhabit within this Province, or any Part or Place thereof, and hath not a viſible Eſtate, or hath not a manual Occupation, ſhall, before he be admitted an Inhabitant, give ſufficient Surety, That he ſhall not be a Burden or Charge, to the reſpective Place he ſhall come to inhabit; which Security ſhall continue for two Years.

All Perſons who come to inhabit within the Province, not having a viſible Eſtate, to give Security.

V. **Provided always**, That all thoſe that have manual Crafts or Occupations, may at all Times come and inhabit in any Place within this Province, and be always admitted, provided he make the Application within eight Days after his Arrival in any City, Town, or County, as aforeſaid, unto ſuch Perſon or Perſons as are appointed for governing the reſpective Parts.

Except ſuch as have manual Occupations, provided they make proper Application within eight Days.

VI. **And alſo**, All Veſſels that ſhall bring any Paſſengers into this Province, the Maſters of ſuch Veſſels ſhall, within Four and Twenty Hours after Arrival, bring a Liſt of all ſuch Paſſengers he brings into this Province, with their Quality and Conditions, unto the chief Magiſtrates of each reſpective City, Town, or County, as aforeſaid, under the Penalty of *Ten Pounds*, current Money of this Province.

Maſters of Veſſels bringing Paſſengers, to report the ſame within 24 Hours after their Arrival.

VII. **Always provided**, That if any Veſſel bring in any Perſon, as aforeſaid, not able to give Surety for their Well-Demeanour; that then, and in ſuch Caſe, that the Maſter of ſuch Veſſel or Veſſels ſhall be obliged to tranſport all ſuch to the Place from whence they came, or at leaſt out of this Province and Dependencies.

And to re-tranſport ſuch as are not able to give Surety.

VIII. And

VIII. **And alſo**, If any Vagabonds, Beggars, or others, remove from one Town to another, and cannot give Security, as aforeſaid, it ſhall be lawful for the Conſtable, to return ſuch Perſons, to the Town from whence they came.

3d *Wm.* and *Mary*, A. D. 1691. The Conſtable may return Vagabonds. &c.

CHAP. VII.

An ACT *for the Allowance to the Repreſentatives.*

Paſs'd the 13th of May, 1691.

Repealed, *and provided for, by* Ch. 99.

CHAP. VIII.

An ACT *for the raiſing and levying of £. 2000, for paying and defraying the incidental Charges, according to Eſtabliſhment, of One Hundred Fuzileers, with their Officers, for one whole Year.*

Paſs'd the 13th of May, 1691.

Expired 13th *May*, 1692.

CHAP. IX.

An ACT *to Enable the City and County of* Albany, *to defray their neceſſary Charge.*

Paſs'd the 13th of May, 1691.

Expired 13th *May*, 1694.

CHAP. X.

An ACT *declaring what are the Rights and Privileges of their Majeſties Subjects inhabiting within this Province of* New-York.

Paſs'd the 13th of May, 1691.

Repealed by the King the 11th of *May*, 1697.

CHAP. XI.

An ACT *for Eſtabliſhing a Revenue for defraying the publick Expence of the Province.*

Paſs'd the 16th of May, 1691.

Expir'd 16th of *May*, 1693.

CHAP. XII.

An ACT *to enable his Excellency to defray his extraordinary Expence, and to indemnify the Collector for the Receipts of ſeveral Sums of Money on Pretence of Cuſtom and Duty.*

Paſs'd the 16th of May, 1691.

Obſolete.

3d *Wm.* & *Mary.* A. D. 1691.

Obſolete.

CHAP. XIII.

An ACT *for pardoning ſuch as have been active in the late Diſorders.*

Paſs'd the 6th of May, 1691.

CHAP. XIV.

Repealed, and Indulgence given by Ch. 603.

An ACT *to eaſe People that are ſcrupulous in Swearing.*

Paſs'd the 18th of May, 1691.

[ornamental rule]

RICHARD INGOLDSBY, Eſq; Commander in Chief.

CHAP. XV.

Obſolete.

An ACT *for raiſing One Thouſand Five Hundred Pounds, to pay One Hundred and Fifty Men for ſix Months, for the Reinforcement of the Frontiers at* Albany.

Paſs'd the 30th of September, 1691.

CHAP. XVI.

Repealed by Ch. 65.

An ACT *for Regulating the Damages done in the Time of the late Diſorders; and for the uniting of the Minds of their Majeſties Subjects within this Province; and for calling home ſuch of their Majeſties Subjects that have lately abſented themſelves from their Habitations, and the uſual Places of their Abode.*

Paſs'd the 30th of September, 1691.

CHAP. XVII.

An ACT *to divide the Province and Dependencies, into Shires and Counties.*

Paſs'd the 1ſt of October, 1691.

Preamble.

FORASMUCH as Miſtakes may ariſe about the Limits and Bounds of the reſpective Counties within this Province; For Prevention whereof,

I. **Be it Enacted** *by the Commander in Chief, and Council, and Repreſentatives, and by the Authority of the ſame,* That the ſaid Province be divided into Twelve Counties, as followeth:

II. The

3d *Wm. & Mary.* A. D. 1691.

The Contents of the City and County of *New-York.*

II. The City and County of *New-York*, to contain all the Island commonly called *Manhattan's-Island*, *Manning's-Island*, the two Barn Islands, and the three Oyster-Islands; *Manhattan's-Island*, to be called the City of *New-York*, and the Rest of the Islands, the County.

Of *Westchester.*

III. The County of *Westchester*, to contain *East* and *Westchester*, *Bronkes* Land, *Fordham*, Manor of *Pelham*, *Miniford's-Island*, *Richbill's-Neck*, and all the Land on the Main, to the Eastward of *Manhattan's-Island*, as far as the Government at present extends, and the *Yonker's* Land; and Northwards along *Hudson's* River, as far as the High-Lands.

Of *Ulster.*

IV. The County of *Ulster*, to contain the Towns of *Kingston*, *Hurley* and *Marble-Town*, *Foxhall*, and the *New Paltz*, and all Villages, Neighbourhoods, and Christian Habitations on the West Side of *Hudson's* River, from the *Murderer's-Creek*, near the High-Lands, to the *Sawyer's-Creek.*

Of *Albany.*

V. The County of *Albany*, to contain the Manor of *Ranslaerwick*, *Schenectady*, and all the Villages, Neighbourhoods, and Christian Plantations on the East Side of *Hudson's* River, from *Roeloffe Janſen's Creek*; and on the West Side, from *Sawyer's-Creek*, to the outmost End of *Saraghtoga.*

Of *Dutchess.*

VI. *Dutchess* County, to be from the Bounds of the County of *Westchester*, on the South Side of the High-Lands, along the East Side of *Hudson's* River, as far as *Roeloffe Janſen's Creek*; and eastward into the Woods Twelve Miles.

Of *Orange.*

VII. The County of *Orange*, to begin from the Limits or Bounds of *East* and *West-Jersey*, on the West Side of *Hudson's* River, along the said River to the *Murderer's-Creek*, or Bounds of the County of *Ulster*; and westward into the Woods as far as *Delaware* River.

Of *Richmond.*

VIII. The County of *Richmond*, to contain all *Statten-Island*, *Shooter's-Island*, and the Islands of Meadow on the West Side thereof.

Of *Kings.*

IX. *Kings* County, to contain the several Towns of *Boshwyck*, *Bedford*, *Broucklin*, *Flatbush*, *Flatlands*, *New-Utrecht*, and *Gravesend*, with the several Settlements and Plantations adjacent.

Of *Queens.*

X. *Queens* County, to contain the several Towns of *Newtown*, *Jamaica*, *Flushing*, *Hampstead*, *Oyster-Bay*, with *Horse-Neck*, and the several Out-Farms, Necks, Settlements, and Plantations adjacent, and the Island called the *Two-Brothers*, and *Hallet's-Island.*

Of *Suffolk.*

XI. The County of *Suffolk*, to contain the several Towns of *Huntington*, *Smithfield*, *Brookhaven*, *Southampton*, *Southold*, *Easthampton*, to *Montauk Point*, *Shelter-Island*, the *Isle of White*, *Fisher's-Island*, and *Plumb-Island*, with the several Out-Farms, Settlements, and Plantations adjacent.

Of *Dukes*, and *Cornwall.*

XII. *Dukes* County, to contain the Island of *Nantucket*, *Martin's-Vineyard*, *Elizabeth-Island*, and *No-Man's-Land.*

XIII. The County of *Cornwall*, to contain *Pemy-Quid*, and all the Territories in those Parts, with the Islands adjacent.

CHAP.

3d *Wm. & Mary*, A. D. 1691.

CHAP. XVIII.

An ACT *for the Regulating the Buildings, Streets, Lanes, Wharfs, Docks, and Allies, of the City of* New-York.

Paſs'd the 1ſt of October, 1691.

Preamble,

FORASMUCH as the City of *New-York*, the Metropolis of this Province, was chiefly erected by the Inhabitants thereof, for the Propagating and Encouragement of Trade and Commerce, and for the Good, Benefit, and Welfare of Their Majeſties Subjects inhabiting within this Province: And foraſmuch as it is very neceſſary for Traffick and Commerce, that Buildings, Streets, Lanes, Wharfs, Docks, and Allies of the ſaid City, be conveniently regulated with Uniformity, for the Accommodation of Habitations, Shipping, Trade and Commerce; and that all Impediments and Obſtructions that may retard ſo neceſſary a Work, may be removed:

The Mayor, Aldermen, &c. may appoint one or more Surveyors or Supervifors of their Buildings, &c. who are to ſee the ſame regulated according to ſuch Rules as ſhall by them be eſtabliſhed; which they are hereby authoriſed to make, as alſo to adminiſter an Oath to the Surveyors or Supervifors for the due Execution of their Office.

I. **Be it therefore Enacted** *by the Commander in Chief, and Council, and Repreſentatives met in General Aſſembly, and by the Authority of the ſame*, That the Mayor, Aldermen, and Common-Council of the ſaid City, ſhall and may, at their Will and Pleaſure, elect, nominate, or appoint, one or more diſcreet and intelligent Perſon or Perſons, to be the Surveyors or Supervifors of their Buildings, Streets, Lanes, Wharfs, Docks, and Alleys of the ſaid City, and to ſee that the Buildings, Streets, Lanes, Wharfs, Docks, and Alleys of the ſaid City, be conveniently regulated with Uniformity, for the Accommodation of Habitations, Shipping, Trade, and Commerce, according to ſuch Rules and Orders of Building, and laying out of Streets, Lanes, Wharfs, Docks, and Alleys, as ſhall be eſtabliſhed by the Mayor, Aldermen, and Common-Council of the ſaid City; who are hereby authoriſed and impowered, to make ſuch Rules and Orders, for the better Regulation, Uniformity, and Gracefulneſs of ſuch new Buildings as ſhall be erected for Habitations, and alſo for ſuch Streets, Lanes, Wharfs, Docks, and Alleys, as ſhall be found convenient for the Good of the Inhabitants: And it ſhall be lawful for the Mayor, Aldermen, and Common-Council, or for the Mayor and Aldermen in their Court, to adminiſter an Oath upon the Holy Evangeliſts, unto the Surveyors or Supervifors, for the true and impartial Execution of their Office in that Behalf.

And may in Common Council aſſembled, obſtruct any Buildings that ſhall narrow any Streets, and continue the *Broad-Street*, according to its preſent Dimenſions.

If they take any Perſon's Ground, they are to give Notice to the Owners, and treat with them.

II. AND whereas in the laying out of the new Lots for Buildings, ſome Controverſy may ariſe, by a Lot or Lots of Ground, which, if built upon, would be very incommodious and prejudicial to one of the principal Streets of this City, and hurtful to the Trade and Health of the Inhabitants: **Be it therefore Enacted** *by the Authority aforeſaid*, That the Mayor, Aldermen, and Common Council of the ſaid City, for the Time being, in Common-Council aſſembled, ſhall and may, and are hereby impowered and required, to obſtruct any Building or Buildings that may narrow the ſaid Street, or any other Street within the ſaid City: And the ſaid Mayor, Aldermen, and Common-Council, ſhall and may, by Virtue of this preſent Act, continue the ſaid Street, commonly called the *Broad-Street*, according to its preſent Dimenſions: And if in the doing thereof, or in the laying out for the future, any Streets, Lanes, Wharfs, Docks, Alleys, &c. they do take any Perſon's Grounds; they are to give Notice to the Owners or Parties intereſted in the Ground, to be ſo taken for the Intent, as aforeſaid; and to the End that reaſonable Satisfaction may be given for all ſuch Ground as ſhall be taken and employed for the Uſes aforeſaid, the Commander in Chief and Council, may aſſeſs the Value of the Lots now in Controverſy; and for other Ground, the Mayor, Aldermen, and Common-Council, ſhall and may, treat and agree with the Owners, and others intereſted therein; and if there

ſhall

3d *Wm.* and *Mary*, A. D. 1691.

ſhall be any Perſons that ſhall refuſe to treat in Manner aforeſaid, that in ſuch Caſe, the Mayor, and Aldermen, in their Court, are hereby authoriſed, by Virtue of this Act, to iſſue out a Warrant or Warrants, to the Sheriff of the ſaid City, who is hereby required to impannel and return a Jury before the ſaid Court of Mayor and Aldermen; which Jury, upon their Oaths, to be adminiſtred by the ſaid Court, are to enquire and aſſeſs ſuch Damages and Recompence, as they ſhall judge fit to be awarded to the Owners, and others intereſted, according to their ſeveral and reſpective Intereſts and Eſtates of any ſuch Ground, or any Part thereof, for their reſpective Intereſts and Eſtates in the ſame, as by the ſaid Mayor, Aldermen, and Common-Council, ſhall be adjudged fit to be converted to the Purpoſes aforeſaid; and ſuch Verdict of the Jury, and Judgment of the ſaid Court of Mayor and Aldermen thereupon, and the Payment of the Sum and Sums of Money ſo awarded or adjudged to the Owners, and others having Eſtate or Intereſt, or Tender, or Refuſal thereof, ſhall be binding to all Intents and Purpoſes, againſt the ſaid Parties, their Heirs, Executors, Adminiſtrators, and Aſſigns, and others claiming any Title and Intereſt to the ſaid Ground, and ſhall be a full Authority to the ſaid Mayor, Aldermen, and Common-Council, to cauſe the ſaid Ground to be converted and uſed for the Purpoſes aforeſaid; any Thing contained herein, or in any other Law to the contrary hereof in any wiſe notwithſtanding.

And on their refuſing to treat, the Mayor and Aldermen may iſſue warrants to return a Jury before them, who ſhall aſſeſs the Damage to the Owners; which Verdict of the Jury and Judgment of the Court thereupon, and the Payment of the Sums awarded, ſhall be binding againſt the ſaid Parties.

III. AND foraſmuch as the Filth and Soil of this ſaid City, lying in the publick Streets thereof, doth often prove a common Nuſance unto the Inhabitants and Traders to and from the ſaid City, and very prejudicial to their Health; For the Removal thereof, **Be it further Enacted** *by the Authority aforeſaid*, That the Numbers and Places for all common Sewers, Drains, and Vaults, and the Order and Manner of Paving and Pitching the Streets, Lanes, and Alleys of the ſaid City, ſhall be deſigned and ſet out by the Mayor, Aldermen, and Common-Council of the ſaid City, together with the ſaid Surveyors and Superviſors appointed in Manner aforeſaid; and when they aſſemble, ſhall have Power and Authority to order and direct the making of Vaults, Drains, and Sewers, or to cut into any Drains or Sewers already made; and for the altering, enlarging, amending, cleanſing, and ſcouring of any Vaults, Sinks, or common Sewers; and for the better effecting thereof, it ſhall and may be lawful to and for the ſaid Mayor, Aldermen, and Common-Council, together with the ſaid Surveyors and Superviſors, at their ſaid Meeting, to impoſe any reaſonable Tax upon all Houſes within the ſaid City, in Proportion to the Benefit they ſhall receive thereby, for and towards the making, cutting, altering, enlarging, amending, cleanſing and ſcouring all and ſingular the ſaid Vaults, Drains, Sewers, Pavements, and Pitching aforeſaid; and in Default of Payment of the ſaid Sum to be charged, it ſhall and may be lawful, to and for the ſaid Mayor and Aldermen, *&c.* ſo authoriſed, as aforeſaid, by Order or Warrant under their Hands and Seals, to levy the ſaid Sum and Sums of Money ſo aſſeſſed, by Diſtreſs and Sale of the Goods of the Parties chargeable therewith, and refuſing and neglecting to pay the ſame; rendring the Overplus, if any be.

The Mayor, Aldermen and Common Council, with the Surveyors and Superviſors, may deſign and ſet out all the common Sewers and Vaults, and the paving the Streets, Lanes and Allies of the City, and impoſe a Tax upon the Houſes in the City, in Proportion to the Benefit they receive thereby; and in Default of Payment, levy the ſame by Diſtreſs and Sale of the Parties Goods, rendring the Overplus to the Party.

IV. **Always provided, and be it further Enacted** *by the Authority aforeſaid*, That Nothing herein contain'd, ſhall be conſtrued to change, alter, ſhorten, lengthen, narrow or enlarge any of the Streets, Alleys, and Lanes within this City, as they are now laid out, and remain at the Publication hereof; nor to break through any Perſon's Ground now in Fence or incloſed, or to take away any Perſon's Houſe or Habitation; any Thing herein contained to the contrary hereof, in any wiſe notwithſtanding.

Provided, That nothing in this Act be conſtrued to the Alteration of any Streets, Allies or Lanes, as they are laid out at the Publication hereof, *&c.*

4th *Wm. & Mary.* A. D. 1692. Repealed by Ch. 113.

CHAP. XIX.

An ACT *for Deſtroying of Wolves.*

Paſs'd the 29th of April, 1692.

CHAP. XX.

Obſolete.

An ACT *for the Raiſing of Two Hundred Men, with their proper Officers, for the Securing and Reinforcing of* Albany, *in the Frontiers of this Province.*

Paſs'd the 29th of April, 1692.

BENJAMIN FLETCHER, Eſq; Governor.

CHAP. XXI.

Loſt, *but probably provided for by* Ch. 67.

An ACT *for the reſtraining and puniſhing Privateers and Pirates.*

Paſs'd the 10th of September, 1692.

CHAP. XXII.

Obſolete.

An ACT *for the raiſing and paying Two Hundred and Twenty Men, with their proper Officers, together with the incidental Charges that ſhall ariſe thereon, for the Security and Reinforcement of the Frontiers of this Province at* Albany, *for ſeven Months.*

Paſs'd the 10th of September, 1692.

CHAP. XXIII.

Expir'd 1ſt of *March*, 1692.

An ACT *Raiſing and paying Eighty Men in* Ulſter *and* Dutcheſs *County, for the ſecuring of* Albany, *from the 15th Day of* December *next, to the firſt of* March *then next enſuing.*

Paſs'd the 10th of September, 1692.

The Second ASSEMBLY.

FIRST SESSIONS.

CHAP. XXIV.

Continued by Ch. 34.

An ACT *for eſtabliſhing a Revenue upon their Majeſties, for defraying the publick and neceſſary Charges of the Government.*

Paſs'd the 11th of November, 1692.

CHAP. XXV.

Continued Ch, 45.

An ACT *for encouraging a Poſt-Office.*

Paſs'd the 11th of November, 1692.

CHAP.

4th *Wm & Mary.*
A. D. 1692.

CHAP. XXVI.

An ACT *for settling Fairs and Markets in each respective City and County throughout the Province.*

Pass'd the 11th of November, 1692.

Preamble.

WHEREAS great Inconvenience doth arise to the Inhabitants of this Province, for Want of certain Market Days in each respective City and County, throughout the same; and the Trade of the Province is likewise very much discouraged for Want thereof, as well as for the Want of publick Fairs in each respective City and County, to be held and kept at least once in every Year: For Remedy whereof, and that Trade and Commerce may be the better encouraged and propagated, for the Good and Weal of all the Inhabitants aforesaid;

Publick Markets may be kept at *Jamaica*, on every Thursday in the Week; at *Kingston* on Saturday, and at *Westchester*, on every Wednesday in the Week; to which all the Inhabitants may resort with all sorts of Merchandizes between the Hours of 8 in the Morning, and Sun-set, without paying Toll, &c.

I. **Be it therefore Enacted** *by the Governor, and Council, and Representatives convened in General Assembly, and it is hereby Enacted by the Authority of the same,* That there shall be held and kept in the respective Counties aforesaid, upon every *Thursday* of the Week at *Jamaica*, within *Queens* County, on *Long-Island*; and on every *Saturday* of the Week, at *Kingston*, in the County of *Ulster*; and on every *Wednesday* of the Week, at *Westchester*, in the County of *Westchester*, publick and open Markets; to which Markets, it shall and may be lawful for all and every the Inhabitants and Sojourners of this Province, to go, frequent, and resort; and thither to carry all sorts of Cattle, Grain, Victuals, Provisions, and other Necessaries, together with all sorts of Merchandize whatsoever; and at the publick Market Place that shall be assigned and appointed in each respective Town aforesaid, them to expose to Sale or Barter, in gross, or by retail, between the Hours of Eight of the Clock in the Morning, and Sun-set of the same Day, without the Payment of any Toll, or any other Let, Hindrance, or Molestation whatsoever.

A Fair to be kept twice a Year, in every City and County; to which all Persons may resort with all kinds of Merchandize.

II. **And be it further Enacted** *by the Authority aforesaid,* That there shall likewise be held and kept in each respective City and County throughout the Province, and at the Times and Places hereafter named, twice yearly, and every Year, a Fair; to which Fair it shall, and may be likewise lawful, for all and every Person or Persons, Inhabitants, Strangers, or Sojourners of this Province, *&c.* to the said Place and Places, at the said Time and Times, when the said respective Fair and Fairs are to be held and kept; to go, frequent, and resort, and thither to carry, or cause to be carried, all sorts of Cattle, Horses, Mares, Colts, Grain, Victuals, Provisions, and other Necessaries, together with all sorts of Merchandize of what Nature soever, and them to expose to Sale or Barter, in gross, or by retail, at the Times, Hours, and Seasons, that the Governor or Rulers of the said respective Fairs, for the Time being, shall proclaim and appoint.

The Times of the Fairs at *New-York*.

III. **And be it further Enacted** *by the Authority aforesaid,* That there be kept yearly, for the City and County of *New-York*, two Fairs at the City of *New-York*; the first Fair annually to commence the last *Tuesday* of *April*, in every Year, and to end upon the *Friday* then next following, being in all four Days inclusive, and no longer; and the second Fair to commence the first *Tuesday* of *November*, in every Year, and to end upon the *Friday* then next following, being in all four Days inclusive, and no longer.

IV. And

4th *Wm. & Mary.* A. D. 1692. Repealed by Ch. 113.

CHAP. XIX.

An ACT *for Deſtroying of Wolves.*

Paſs'd the 29th of April, 1692.

CHAP. XX.

Obſolete.

An ACT *for the Raiſing of Two Hundred Men, with their proper Officers, for the Securing and Reinforcing of* Albany, *in the Frontiers of this Province.*

Paſs'd the 29th of April, 1692.

BENJAMIN FLETCHER, Eſq; Governor.

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Continued Ch. 45.

An ACT *for encouraging a Poſt-Office.*

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Preamble.

WHEREAS great Inconvenience doth arise to the Inhabitants of this Province, for Want of certain Market Days in each respective City and County, throughout the same; and the Trade of the Province is likewise very much discouraged for Want thereof, as well as for the Want of publick Fairs in each respective City and County, to be held and kept at least once in every Year: For Remedy whereof, and that Trade and Commerce may be the better encouraged and propagated, for the Good and Weal of all the Inhabitants aforesaid;

Publick Markets may be kept at *Jamaica*, on every Thursday in the Week; at *Kingston* on Saturday, and at *Westchester*, on every Wednesday in the Week; to which all the Inhabitants may resort with all sorts of Merchandizes between the Hours of 8 in the Morning, and Sun-set, without paying Toll, &c.

I. **Be it therefore Enacted** *by the Governor, and Council, and Representatives convened in General Assembly, and it is hereby Enacted by the Authority of the same,* That there shall be held and kept in the respective Counties aforesaid, upon every *Thursday* of the Week at *Jamaica*, within *Queens* County, on *Long-Island*; and on every *Saturday* of the Week, at *Kingston*, in the County of *Ulster*; and on every *Wednesday* of the Week, at *Westchester*, in the County of *Westchester*, publick and open Markets; to which Markets, it shall and may be lawful for all and every the Inhabitants and Sojourners of this Province, to go, frequent, and resort; and thither to carry all sorts of Cattle, Grain, Victuals, Provisions, and other Necessaries, together with all sorts of Merchandize whatsoever; and at the publick Market Place that shall be assigned and appointed in each respective Town aforesaid, them to expose to Sale or Barter, in gross, or by retail, between the Hours of Eight of the Clock in the Morning, and Sun-set of the same Day, without the Payment of any Toll, or any other Let, Hindrance, or Molestation whatsoever.

A Fair to be kept twice a Year, in every City and County; to which all Persons may resort with all kinds of Merchandize.

II. **And be it further Enacted** *by the Authority aforesaid,* That there shall likewise be held and kept in each respective City and County throughout the Province, and at the Times and Places hereafter named, twice yearly, and every Year, a Fair; to which Fair it shall, and may be likewise lawful, for all and every Person or Persons, Inhabitants, Strangers, or Sojourners of this Province, *&c.* to the said Place and Places, at the said Time and Times, when the said respective Fair and Fairs are to be held and kept; to go, frequent, and resort, and thither to carry, or cause to be carried, all sorts of Cattle, Horses, Mares, Colts, Grain, Victuals, Provisions, and other Necessaries, together with all sorts of Merchandize of what Nature soever, and them to expose to Sale or Barter, in gross, or by retail, at the Times, Hours, and Seasons, that the Governor or Rulers of the said respective Fairs, for the Time being, shall proclaim and appoint.

The Times of the Fairs at *New-York*.

III. **And be it further Enacted** *by the Authority aforesaid,* That there be kept yearly, for the City and County of *New-York*, two Fairs at the City of *New-York*; the first Fair annually to commence the last *Tuesday* of *April*, in every Year, and to end upon the *Friday* then next following, being in all four Days inclusive, and no longer; and the second Fair to commence the first *Tuesday* of *November*, in every Year, and to end upon the *Friday* then next following, being in all four Days inclusive, and no longer.

IV. And

4th *Wm.* & *Mary*, A. D. 1692.

The Place and Times of the Fair for *Kings* County.

IV. **And alſo,** That there be held and kept one Fair annually, and once a Year, for *Kings* County, on *Long-Iſland*, at *Flatbuſh*, in the ſaid County; to commence the ſecond *Tueſday* of *October*, in every Year, and to end the *Friday* then next following, being in all four Days incluſive, and no longer.

For *Queens* County

V. **And alſo,** That there be held and kept two Fairs yearly for *Queens* County, on *Long-Iſland*; the firſt Fair to be held annually at *Jamaica*, within the ſaid County, on the firſt *Tueſday* in *May*, in every Year, and to end on the *Friday* then next following, being in all four Days incluſive, and no longer; the ſecond Fair to commence on the third *Tueſday* of *October*, and to end on the *Friday* then next following, being in all four Days incluſive, and no longer.

For *Suffolk* County

VI. **And alſo,** That there be held and kept two Fairs yearly for the County of *Suffolk*, on *Long-Iſland*; the firſt Fair to be held annually at *Southampton*, the firſt *Tueſday* of *July*, in every Year, and to end on *Friday* then next following, being in all four Days incluſive, and no longer; and the ſecond Fair at *Southold*, to commence the ſecond *Tueſday* of *September*, and to end upon the *Friday* then next following, being in all four Days incluſive, and no longer.

For the City and County of *Albany*.

VII. **And alſo,** That there be held and kept in the City and County of *Albany*, two Fairs yearly; the firſt Fair to be kept at *Albany*, and to commence the third *Tueſday* of *July*, and to end on the *Friday* then next following, being in all four Days incluſive, and no longer; the ſecond Fair to be held at *Crawlier*, in *Ranſlaerwick*, on the third *Tueſday* in *October*, and to end on the *Friday* following, being in all four Days incluſive, and no longer.

For *Ulſter* County.

VIII. **And alſo,** That there be held and kept two Fairs yearly, for the County of *Ulſter*; the firſt to be kept at *Kingſton*, the third *Thurſday* in *March*, and to end on the *Saturday* then next following, being three Days incluſive, and no longer; and the ſecond Fair to begin the ſecond *Thurſday* in *October*, and to end the *Saturday* following.

For the County of *Weſtcheſter*.

IX. **And alſo,** That there be held and kept two Fairs yearly, for the County of *Weſtcheſter*; the firſt to be kept at the Town of *Weſtcheſter*, in the ſaid County, on the ſecond *Tueſday* in *May*, and to end on the *Friday* following, being in all four Days incluſive, and no longer; and the ſecond Fair to be kept at *Rye*, in the ſaid County, on the ſecond *Tueſday* in *October* yearly, and to end the *Friday* next following, being in all four Days, and no longer.

For *Richmond* County.

These Fairs to be held with Court of Pypowder, after the Manner of the Realm of *England*.

X. **And alſo,** That there be held and kept two Fairs yearly, in the County of *Richmond*; the firſt on the North Side of the Iſland, on the laſt *Tueſday* in *June*, and to end on the *Friday* following, being in all four Days incluſive, and no longer; and the ſecond Fair to be kept at the ſaid Place on the laſt *Tueſday* in *September*, and to end on the *Friday* then next following, being in all four Days incluſive, and no longer. All which Fairs, at the Times and Places aforeſaid, in each reſpective County reſpectively, ſhall be holden, together with a Court of Pypowder, and with all Liberties and free Cuſtoms to ſuch Fairs appertaining, or which ought or may appertain, according to the Uſage and Cuſtoms of Fairs holden in Their Majeſties Realm of *England*.

The Governor to commiſſionate Rulers of the Fairs who are to hold Courts of Pypowder, &c.

XI. And for the more regular Government of the ſeveral and reſpective Fairs afore mentioned, the Governor ſhall commiſſionate and appoint ſuch Perſon or Perſons in each reſpective County aforeſaid, where ſuch Fairs are to be holden and kept, to be Governors and Rulers of the ſaid Fairs reſpectively; which Governor or Ruler, ſo appointed and commiſſionated as aforeſaid, is hereby authoriſed and impowered, to have and hold a Court of Pypowder, together with all Liberties and free Cuſtoms to ſuch appertaining: And that they,

they, and every of them, may have and hold them, at their and every of their respective Places aforesaid, their and every of their respective Courts, the said Days, from Day to Day, and Hour to Hour, from Time to Time, upon all Occasions, Plaints and Pleas of a Court of Pypowder, together with Summons, Attachments, Arrests, Issues, Fines, Redemptions, and Commodities, and other Rights whatsoever, to the same Courts of Pypowder any way appertaining, without any Impediment, Let, or Hindrance whatsoever. *Always Provided*, That the Governor or Ruler of the said respective Fairs aforesaid, shall cry or publish, or cause to cry and publish, within and without the Liberties of the said respective Fairs, where they shall hold the same, the Time that they ought to hold it, and no longer. And that every Governor or Ruler of the respective Fairs aforesaid, at the Beginning of his Fairs, shall there cry, proclaim, and publish, how long that Fair shall endure, to the Intent that Merchants and others, shall not be at the same Fairs over the Time so published, upon Pain of being fined for the same; nor that the said Governor or Ruler, shall not hold their respective Fairs, over the due Time hereby limited, upon Pain of forfeiting the Keeping of the said Fairs unto Their Majesties.

Who are also to hold Pleas of such a Court.

Provided they publish the Time they ought to hold it.

Not to hold the Fair beyond the Time limited.

XII. AND for preventing of Abuse, in any of the aforesaid Fairs and Markets, **Be it further Enacted** *by the Authority aforesaid*, That the Governor or Ruler of the respective Fairs aforesaid, shall yearly appoint and limit out, a certain and special open Place, within the respective Towns aforesaid, where the said respective Fairs are to be held and kept; where Horses, Mares, Geldings, Colts, and other Cattle may be sold; in which said certain and open Place, as aforesaid, there shall be, by the Governor or Ruler aforesaid, put in and appointed, one sufficient Person, or more, to take Toll, and keep the same Place from Ten of the Clock in the Morning, until Sun-set of every Day of the aforesaid Fair and Market, upon Pain to lose and forfeit upon every Default, *Forty Shillings*: And that every Toll-gatherer, his Deputy or Deputies, shall, during the Time of every their said Fairs, take the Sum of *Nine-Pence*, as due and lawful Toll for every such Horse, Mare, Gelding, or Colt, sold at the said open Place to be appointed as aforesaid, and between the Hours of Ten of the Clock in the Morning, and Sun-set of the same Day, if it be tender'd, and not at any other Time and Place; and shall have present before him or them, at the taking of the same Toll, the Parties to the Bargain, Exchange, Gift, Contract, or putting away of every such Horse, Mare, Gelding, or Colt, and also the same Horse, Mare, Gelding, and Colt, so sold, exchanged, or put away; and shall then write, or cause to be written, in a Book to be kept for that Purpose, the Names, Sirnames, and Dwelling-places of all the said Parties, and the Colour, with one special Mark at the least, of every such Horse, Mare, Gelding, or Colt, on Pain to forfeit, at and for every Default contrary to the Intent hereof, the Sum of *Forty Shillings*, current Money aforesaid: And the said Toll-gatherer, or Keeper of the said Book, shall, within one Day next after such Fair, bring and deliver the said Book to the Governor or Ruler of the said Fair; who shall then cause a Note to be made of the true Number of all Horses, Mares, Geldings, and Colts, sold at the said Fair, and shall there subscribe his Name; upon Pain to him, that shall make Default therein, to lose and forfeit for every Default, the Sum of *Forty Shillings*, current Money aforesaid; and also to answer to the Party grieved, by Reason of the same his Negligence in every Behalf: And the said Governor or Ruler, his Deputy or Deputies, shall take for the Entring of every Horse, Mare, Gelding, and Colt, sold in the respective Fairs, as aforesaid, for Toll of the same, the Sum of *Nine Pence*; the one Half to be paid by the Buyer, and the other Half by the Seller.

The Governor of the Fair to appoint an open Place to hold it; and a Person to take Toll;

or forfeit for every Default, 40*s.*

The Time for taking, and the Value of the Toll.

Toll-gatherer to keep a Book, &c. under the Penalty of 40*s.*

And one Day after the Fair, deliver it to the Governor; who shall take a Note of all Horses, &c. sold at the Fair.

The Toll to be paid, one half by the Buyer, and the other half by the Seller.

4th *Wm.* & *Mary.* A. D. 1692.

This Act not to infringe upon the Charters of *New-York*, *Albany* and Manor of *Ranſlaerwick.*

XIII. **Provided always**, That Nothing herein contained, ſhall be taken or conſtrued to infringe upon the Rights and Privileges of the City of *New-York* and *Albany*, and *Ranſlaerwick*; but that the Mayor and Aldermen, and the Proprietor of the Manor of *Ranſlaerwick*, of their reſpective Cities and Manors, for the Time being, ſhall always be, purſuant to the Directions of their reſpective Charters and Grants, the only Governor or Ruler of the afore mentioned Fairs, to be held in their reſpective Cities and Manor; any Thing contained herein to the Contrary hereof in any wiſe notwithſtanding.

CHAP. XXVII.

An ACT *for the ſuperviſing Inteſtates Eſtates, and regulating the Probate of Wills, and granting Letters of Adminiſtration.*

Paſs'd the 11th of November, 1692.

Preamble.

WHEREAS the Rights of Orphans, and the Eſtates of ſuch as die Inteſtate, throughout this Province and Dependencies, are often concealed, waſted, imbezelled, and deſtroyed, to the utter Ruin of many Orphans, and the Prejudice of the next of Kin to ſuch as die Inteſtate, for Want of having good and ſufficient Perſons in each reſpective County throughout the Province, for the due and regular Enquiry after the ſame:

I. **Be it therefore Enacted** *by the Governor, and Council, and Repreſentatives convened in General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That on or before the Five and Twentieh Day of *March* next, in the Year of our Lord, One Thouſand Six Hundred Ninety and Three, there ſhall be elected or appointed in each reſpective Town, throughout the Counties within this Province, Two able and ſufficient Freeholders, who ſhall, upon the Death of any Perſon or Perſons in their reſpective Towns, repair unto the Houſe, Place, or Habitation where the Deceaſed did reſide, within Forty-eight Hours after the Interment of the ſaid Deceaſed; and there make Enquiry, if the Deceaſed made any Will, or had any Real or Perſonal Eſtate, not deviſed by him at the Time of his or their Death: And if upon Enquiry, that he had made no Will, but died Inteſtate; then, and in ſuch Caſe, it ſhall be lawful for ſuch Perſon or Perſons, elected or appointed in each reſpective Town, as aforeſaid, to make ſtrict and diligent Search and Enquiry, into all the Real and Perſonal Eſtate that the ſaid Inteſtate died poſſeſſed of, and the ſame to Inventory, and bring, or cauſe to be brought, unto ſuch Perſon or Perſons in the County where ſuch Inteſtate died; who ſhall, by the Governor for the Time being, be delegated on Purpoſe for ſuperviſing Inteſtates Eſtates, *&c.* in each reſpective County throughout the Province; and the ſame with him file, declaring upon their Oaths, That the ſaid Inventory doth contain, a true and perfect Account of the ſaid Inteſtate's Eſtate, that has come unto their Knowledge. Whereupon the Perſon or Perſons ſo delegated, as aforeſaid, ſhall iſſue out his or their Warrant, to two good and ſufficient Freeholders, inhabiting within the Town where the Inteſtates died, for the Appraiſement of the Goods and Chattels left by the Inteſtate, and inventoried, as aforeſaid: And upon the Return thereof to him, he ſhall cauſe the ſame to be ſecured, or ſold for the moſt of their Value, and the Produce thereof to remain in his Hands, or put out into good and ſufficient Hands, who ſhall be able to produce the ſame again, when the next of Kin ſhall appear in Right to claim the ſame: And if the ſaid Inteſtate, at the Time of his Death, did leave a Wife and Children behind him; then, and in ſuch Caſe, the Wife ſhall only have the Right of Adminiſtration upon the

In every Town two Perſons to be elected, who ſhall repair to the Houſe of the Deceaſed 48 Hours after his Interment, and inquire if he made a Will, or left any Eſtate undeviſed.

Inquiry to be made after the Eſtate of an Inteſtate. Inventory to be made, and brought before the Governor's Delegate.

Who ſhall iſſue a Warrant for the Appraiſement of the Goods left, and ſecure or ſell them for the Benefit of thoſe who ſhall have Right to them.

the ſaid Inteſtate's Eſtate, as the Law doth direct, and not otherwiſe. But if the ſaid Inteſtate did leave only Orphans behind him, and has no Relations or Kindred, who will adminiſter upon the ſaid Inteſtate's Eſtate; then the Superviſor of each reſpective County, delegated as aforeſaid, ſhall only have the Adminiſtration and Care of the ſaid Inteſtate's Eſtate, and the ſame ſhall ſecure, as aforeſaid, for the Uſe, Benefit, and Behoof of the ſaid Orphans, and not otherwiſe; and the ſaid Inteſtate's Eſtate, ſo inventoried, as aforeſaid, ſhall cauſe to be well ſecured, and improved to the beſt Advantage, for the Behoof of the ſaid Orphans, until they marry, or come to the Age of One and Twenty Years: And that he ſhall likewiſe take effectual Care, for the Educating and Inſtructing the ſaid Orphans, in the Holy Proteſtant Religion, and that they be honeſtly maintained, according to the Capacity of the ſaid Inteſtate's Eſtate, and not otherwiſe.

4th *Wm & Mary.* A. D. 1692.

If the Children of the Inteſtate are Orphans, Superviſor to have Adminiſtration,

Till the Orphans marry, or attain the Age of 21 Years, before which he ſhall have the Care of their Education.

II. **And be it further Enacted** *by the Authority aforeſaid*, That the Probate of all Wills, and Letters of Adminiſtration, ſhall be from henceforth granted by the Governor, or ſuch Perſon as he ſhall delegate under the Seal of the Prerogative Office for that Purpoſe appointed: And that all Wills relating to any Eſtate within the ſeveral Counties of *Orange*, *Richmond*, *Weſtcheſter*, or *Kings* County, ſhall be prov'd at *New-York*, before the Governor, or ſuch Perſon as he ſhall delegate, as aforeſaid. But in Regard of the Remoteneſs of the other Counties from *New-York*, and to prevent the great Charge and Inconveniencies of bringing of Witneſſes ſo far, the Court of Common-Pleas in each of theſe remote Counties, are hereby impowered and authoriſed, to take the Examination of Witneſſes, to any Will within their reſpective Counties, upon Oath, and the ſame, with the Will, to certify to the Secretary's-Office at *New-York*, with all convenient Speed, under the Hand of the Judge and Clerk of the ſaid Court, that the Probate thereof may be granted accordingly. And in the Time of the Vacancy of the ſaid Courts of Common-Pleas, or upon any extraordinary Occaſion or Neceſſity, the reſpective Judges of the Inferior Courts, aſſiſted with two Juſtices of the Peace, within the ſaid remote Counties, may, and are hereby impowered and authoriſed, at any Time during the Vacancy of the ſaid reſpective Courts, to take the Examination of Witneſſes, to any Will produced before them, upon Oath, and to certify the ſame, as aforeſaid. And in Caſe any Debate and Controverſy ſhall ariſe about ſwearing and examining ſuch Witneſſes, or allowing the Will, the ſaid Court, or Judge and Juſtices, may hear and determine the ſame; and if any be unſatisfied with their Proceedings therein, they may appeal to the Governor, or to ſuch other Perſon delegated, as aforeſaid, before the Probate of ſuch Will be granted.

Wills relating to Eſtates in *Orange*, *Richmond*, *Weſtcheſter* or *Kings* County, to be proved at *New-York*.

In the other Counties, Common Pleas to examine Witneſſes, and certify thoſe Examinations to Secretary's-Office.

When Common Pleas Courts are not ſitting, the Judges of thoſe Courts, and two Juſtices of the Peace, may examine Witneſſes to a Will, *&c.*

Appeal from them and the Common Pleas to the Governor before Probate.

III. **And be it further Enacted** *by the Authority aforeſaid*, That the ſeveral Judges of the reſpective Courts within the ſaid remote Counties, in open Court, and on extraordinary Occaſions or Neceſſity, out of Court, aſſiſted with two Juſtices of the Peace aforeſaid, may, and are hereby authoriſed and impowered, to grant Probates of any Will, or Letters of Adminiſtration, to any Perſon or Perſons, where the Eſtate of the Perſon making ſuch Will, or of the Inteſtate, on which Letters of Adminiſtration are deſired, doth not exceed the Value of *Fifty Pounds*; any Thing herein contained to the contrary hereof, in any wiſe notwithſtanding.

The Common Pleas or the Judges with two Juſtices, may grant Probate of a Will, *&c.* where Eſtate does not exceed £. 50.

IV. **Provided always**, That any Perſon or Perſons concerned in the Probate of ſuch Wills, or Letters of Adminiſtration, to be granted by the Judge of the ſaid Courts, as aforeſaid; may, within three Months after the granting thereof, bring his or their Appeal or Appeals therein, before the Governor, or ſuch other Perſon delegated, as aforeſaid.

Appeal to the Governor in three Months.

CHAP.

4th *Wm. & Mary*, A D 1692.

Continued by Ch. 54.

CHAP. XXVIII.

An ACT *for Eſtabliſhing Courts of Judicature for two Years.*

Paſs'd the 11th of November, 1692.

CHAP. XXIX.

Obſolete.

An ACT *for granting to their Majeſties the Rate of one Penny per Pound, upon all the Real and Perſonal Eſtates within the Province of* New-York, &c. *to be allowed unto his Excellency the Governor, for his Care of the Province.*

Paſs'd the 11th of November, 1692.

CHAP. XXX.

5th *Wm. & Mary*, A. D. 1693.

Obſolete.

An ACT *for Raiſing Six Thouſand Pounds, for the Paying of Three Hundred Voluntiers, and their Officers, to be imployed in the Reinforcement of the Frontiers of this Province, at* Albany, *from the 1ſt Day of* May *next, to the firſt Day of* May *next following, in the Year of our Lord* 1694.

Paſs'd the 10th of April, 1693.

CHAP. XXXI.

An ACT *for Calling* Long-Iſland, *the Iſland of* Naſſau.

Paſs'd the 10th of April, 1693.

BE it Enacted *by the Governor, and Council, and Repreſentatives convened in General Aſſembly, and by the Anthority of the ſame,* That the Iſland commonly called and known by the Name of *Long-Iſland*, ſhall from henceforth be called the Iſland of *Naſſau*; and that after the Publication hereof, all Their Majeſties loving Subjects are hereby required, in all Grants, Patents, Deeds, Conveyances, Bargains of Sale, Bills, Bonds, Records, and other Inſtruments in Writing, that ſhall hereafter be made, granted, conveyed, bargained, ſold, and executed, for or concerning the ſaid Iſland, or any Part or Place within the ſame, or in any County thereof; to call and denominate the ſaid Iſland in all ſuch Deeds and Eſcripts, as aforeſaid, the Iſland of *Naſſau*; any Thing contained in any former Act to the contrary hereof, in any wiſe notwithſtanding.

CHAP. XXXII.

Loſt; *but printed from the Enrolments.*

An ACT *for Eſtabliſhing certain Rates upon ſuch Goods and Merchandize as ſhall be brought unto their Majeſties Beam in the Weigh-Houſe at* New-York.

Paſs'd the 10th of April, 1693.

Preamble,

THE Repreſentatives convened in General Aſſembly, being ſenſible of the great Charge, that is requiſite for the preſent Support of the Government in this Time of War, and being alſo willing at all Times, to manifeſt their moſt dutiful Affections unto Their Majeſties, with an humble and thankful Acknowledgment, of their Majeſties moſt gracious and tender Regard, to their Majeſties Subjects within the ſame; have therefore fully and unanimouſly given and

5th *Wm. & Mary*, A. D. 1693.

and granted unto their Majesties, an Aid and Assistance, for the better defraying the necessary Charge of the Government, to be raised and levied upon all such Goods, Wares, and Merchandizes, that shall be brought unto Their Majesties Beam, in the Weigh-House at *New-York*, according to such Rates and Duties, and during such Time, and in such Manner and Form as herein after followeth; And they humbly pray that it may be *Enacted*:

I. **And be it therefore Enacted** *by the Governor, and Council, and Representatives convened in General Assembly, and it is hereby Enacted by the Authority of the same*, That all the Goods, Wares and Merchandizes, herein after named and expressed, that shall, from and after the Publication hereof, be imported to, and exported from this City, or that shall be bought and sold, bartered or exchanged, within the same; shall be first brought unto their Majesties Beam, at the Weigh-House aforesaid, and be there weighed; and for the Weighing the same, there shall be answered and paid, unto Their Majesties Collector, and Receiver-General for the Time being, or to such Person or Persons, as he shall authorize for the attending and receiving the same, the Rates, and Duties, hereafter named, established, and expressed, *that is to say*; For all Sorts of Silk Ware about One Hundred Weight, *Nine Pence* per Hundred Weight; Floret or Worsted, the same; Cochineal, the same; Saffron, the same; Indigo exported only, *Six Pence* per Hundred Weight; nothing for Importation: Confectures the same; all Sorts of Spices, the same; Spanish Leather, the same; Sugar, *Two Pence Halfpenny* per Hundred Weight, exported; nothing at Importation; Candles, the same; Tobacco, *Two Pence* the same; Sarsaparilla, *Three Pence* the same; Ivory, the same; all Sorts of Dye-Wood, *Three Halfpence per Cent.* Weight, exported only; Wooll, and Cotton Wooll, *Three Pence* the same; dry Hydes, Elk, and Deer Skins, *Two Pence* the same; Butter, *Three Pence* the same; Cheese, the same; Starch, the same, both exported and imported; also, Tallow, *Three Pence*, exported; Ginger, the same; Hops, the same; Dry Fish, *Two Pence* the same; Brimstone, *Two Pence* the same, imported; Rosin, *Two Pence* the same, exported only; Cordage, *Three Pence* the same; Grocery Ware, *Two Pence* the same; Bread, *One Penny* the same; Flour, *One Penny* the same; Pitch, *Two Pence* the same: And that all broken Weights, shall pay in Proportion accordingly.

All the Goods in the Act mentioned, shall be brought to their Majesties Beam in the Weigh-House, to be weighed.

The Rates and Duties to be paid for weighing the same.

For Silk, Floret, Cochineal, Indigo; Confectures, Spices, Spanish-Leather, Sugar, Candles, Tobacco, Sarsaparilla, Die-Wood, Wool and Cotton, Dry'd Hides, Elk and Deer Skins, Butter, Cheese and Starch, Tallow, Ginger, Hops, dry Fish, Brimstone, Rosin, Cordage, Grocery Ware, Bread, Flour, Pitch.

Broken Weights in Proportion.

II. **And be it further Enacted** *by the Authority aforesaid*, That all other Species of Goods, Wares and Merchandizes, that are not herein named and expressed, and shall voluntarily be brought by any Person or Persons, within the same, to be weighed as aforesaid; shall, for such their Weighing, pay after the Rates and Duties hereby established, and not otherwise.

Persons voluntarily bringing other Goods, shall pay after the Rates and Duties hereby established.

III. AND for the better collecting, and paying the Rates and Duties aforesaid, **Be it further Enacted** *by the Authority aforesaid*, That all such Person or Persons, that, from and after the Time aforesaid, that shall import to, or export from this City, or shall buy, sell, barter or exchange, within the same, any of the Goods, Wares and Merchandizes, aforementioned, enumerated and expressed, without bringing the same unto Their Majesties Beam, aforesaid, and there answer and pay the Rates and Duties hereby established, as aforesaid; shall then, for, and so often as he or they shall neglect or refuse to do the same, pay, or forfeit unto Their said Majesties, the Sum of *Two Shillings and Six Pence*, current Money aforesaid, for each Hundred Weight of such Goods, Wares, and Merchandizes, as aforesaid, that shall be denied, or refused, to be weighed as aforesaid; to be recovered before any Justice of the Peace within the said City, or in any Court within the same, by Bill, Plaint, or Information; one Half unto Their Majesties, Their Heirs, and Successors. and the other Half unto the Informer, or Prosecutor, who shall sue for the same, together with Costs of Prosecution.

The Forfeiture for Refusal.

5th *Wm. & Mary.* A. D. 1693.

Provided, That no Freeholder be compelled to bring his Goods to be weighed, who ſhall ſwear that ſuch Goods are his own Property.

IV. **Provided always**, That the Regulation, nor any Part thereof, ſhall not extend to compel any Freeholder within this Province, to bring his Goods to be weighed, who ſhall ſwear upon the Holy Evangeliſts *Bona Fide*, That all ſuch Goods exported, or imported, are his own proper Eſtate, and that no other Perſon hath, directly or indirectly, any Intereſt therein; but that they are exported, or imported, upon his own proper Account and Riſque; which, if ſuch a Perſon ſhall be found falſly to ſwear in the Premiſſes, ſhall be proſecuted againſt as one convict of wilful Perjury; and that the Collector, or ſuch Perſon as he ſhall appoint, ſhall be impowered to adminiſter ſuch an Oath.

The Third ASSEMBLY.

Several BILLS *were brought up, but none aſſented to by the* COUNCIL.

6th *Wm. & Mary,* A. D. 1693.

The Fourth ASSEMBLY.

FIRST SESSIONS.

CHAP. XXXIII.

Expired; *but provided for by* Ch. 358.

An ACT *for Settling Pilotage for all Veſſels that ſhall come within* Sandy-Hook.

Paſs'd the 9th of March, 1693.

CHAP. XXXIV.

See Ch. 24. Expired 18th of *May*, 1698.

An ACT *Confirming and Continuing unto Their Majeſties, the Revenue eſtabliſhed by an Act of General Aſſembly, made in the fourth Year of Their Majeſties Reign, for defraying the publick and neceſſary Charges of the Government, five Years longer than the Term therein mentioned.*

Paſs'd the 10th of March, 1693.

CHAP. XXXV.

Loſt.

An ACT *againſt unlawful By-Laws and unreaſonable Forfeitures.*

Paſs'd the 24th of March, 1693.

CHAP. XXXVI.

See Ch. 134. Explained and enforced, 146, and 152.

An ACT *for Settling a Miniſtry, and Raiſing a Maintenance for them, in the City of* New-York, *County of* Richmond, Weſtcheſter, *and* Queens-County.

Paſs'd the 24th of March, 1693.

Preamble.

WHEREAS Profaneneſs and Licentiouſneſs hath of late overſpread this Province, for Want of a ſettled Miniſtry throughout the ſame: To the End the ſame may be removed, and the Ordinances of GOD duly adminiſtred;

I. [illegible]

6th *Wm. & Mary.* A. D. 1693.

I. **Be it Enacted** *by the Governor, and Council, and Representatives convened in General Assembly, and by the Authority of the same,* That in each of the respective Cities and Counties hereafter mentioned and expressed, there shall be called, inducted, and established, a good sufficient Protestant Minister, to officiate, and have the Care of Souls, within one Year next, and after the Publication hereof, *that is to say*; In the City of *New-York*, One; in the County of *Richmond*, One; in the County of *Westchester*, Two; One to have the Care of *Westchester*, *Eastchester*, *Yonkers*, and the Manor of *Pelham*; the Other to have the Care of *Rye*, *Mamarenock*, and *Bedford*; in *Queens* County, Two; One to have the Care of *Jamaica*, and the adjacent Towns and Farms; the Other to have the Care of *Hampstead*, and the next adjacent Towns and Farms.

Protestant Ministers to be inducted, &c. to have Care of Souls in *New-York*, &c.

II. And for their respective Encouragement, **Be it further Enacted** *by the Authority aforesaid,* That there shall be annually, and once in every Year, in every of the respective Cities and Counties aforesaid, assessed, levied, collected, and paid, for the Maintenance of each of their respective Ministers, the respective Sums hereafter mentioned, *that is to say*; For the City and County of *New-York*, *One Pundred Pounds*; for the two Precincts of *Westchester*, *One Hundred Pounds*, to each *Fifty Pounds*, to be paid in Country Produce, at Money Price; for the County of *Richmond*, *Forty Pounds*, in Country Produce, at Money Price; and for the two Precincts of *Queens* County, *One Hundred and Twenty Pounds*, to each *Sixty Pounds*, in Country Produce, at Money Price,

The respective Sums to be raised for their Maintenance;----Cash to the Ministers of *New-York*, but to the Country Ministers Country Produce.

III. And for the more orderly Raising the respective Maintenances for the Ministers aforesaid, **Be it further Enacted** *by the Authority aforesaid,* That the respective Justices of every City and County aforesaid, or any Two of them, shall every Year issue out their Warrants to the Constables, to summons the Freeholders of every City, County, and Precinct aforesaid, together, on the second Tuesday of *January*, for the chusing of Ten Vestry-Men, and two Church-Wardens; and the said Justices and Vestry-Men, or major Part of them, are hereby impowered, within Ten Days after the said Day, or any Day after, as to them shall seem convenient, to lay a reasonable Tax on the said respective Cities, Counties, Parish, or Precincts, for the Maintenance of the Minister and Poor of their respective Places; and if they shall neglect to issue their Warrants, so as the Election be not made that Day, they shall respectively forfeit *Five Pounds*, current Money of this Province: And in Case the said Freeholders duly summoned, as aforesaid, shall not appear, or appearing, do not chuse the said Ten Vestry-Men and two Church-Wardens; that then in their Default, the said Justices shall, within Ten Days after the said second Tuesday, or on any Day after, as to them shall seem convenient, lay the said reasonable Tax, on the said respective Places, for the respective Maintenances aforesaid: And if the said Justices and Vestry-Men, shall neglect their Duty herein, they shall respectively forfeit *Five Pounds*, current Money aforesaid.

The Method of raising the Maintenance.

Vestry-Men and Church-Wardens to be chosen.

Who shall lay a Tax,

Or forfeit £. 5 each.

If Church-wardens, &c. are not chosen, Justices to lay the Tax, or

Forfeit £. 5 each.

IV. **And be it further Enacted** *by the Authority aforesaid,* That such of the Justices and Vestry-Men, that shall not be present at the Time appointed, to make the said Taxes, and therefor be convicted, by a Certificate under the Hands of such as do appear, and have no sufficient Excuse for the same; shall respectively forfeit *Five Pounds*, current Money aforesaid: And a Roll of the said Tax so made, shall be delivered into the Hands of the respective Constables of the said Cities, Counties, Parishes, and Precincts, with a Warrant signed by any two Justices of the Peace, impowering him or them to levy the said Tax; and upon Refusal, to distrain, and sell by publick Out-cry, and pay the same into the Hands of the Church-Wardens, retaining to himself Twelve Pence per Pound, for levying thereof: And if any Person shall refuse to pay what he is

Penalty for not appearing to lay Tax, £. 5.

Tax Roll to be delivered to the Constables, to levy Taxes.

Penalty for refusing to pay Taxes;

6th *Wm. & Mary*, A. D. 1693.

is ſo aſſeſſed, and the ſaid Conſtables do ſtrain for the ſame; all his Charges ſhall be paid him, with ſuch further Allowance for his Pains, as the ſaid Juſtices, or any of them, ſhall judge reaſonable: And if the ſaid Juſtice or Juſtices, ſhall neglect to iſſue the ſaid Warrant, he or they reſpectively ſhall forfeit *Five Pounds* current Money aforeſaid; and if the ſaid Conſtables, or any of them, fail of their Duty herein, they ſhall reſpectively forfeit *Five Pounds* current Money aforeſaid. And the Church-Wardens ſo choſen, ſhall undertake the ſaid Office, and receive and keep a good Account of the Monies or Goods levied by Virtue of this Act, and the ſame iſſue by Order from the ſaid Juſtices and Veſtry-Men of the reſpective Cities, Counties, Precincts, and Pariſhes aforeſaid, for the Purpoſes and Intents aforeſaid, and not otherwiſe: And the Church-Wardens ſhall, as often as thereunto required, yield and give a juſt and true Account unto the Juſtices and Veſtry-Men, of all their Receipts and Diſburſements: And in Caſe the ſaid Church-Wardens, or any of them, ſhall neglect their Duty therein, they ſhall reſpectively forfeit *Five Pounds*, current Money aforeſaid, for every Refuſal.

And on Conſtables for Neglect of Duty.

Church-Wardens to keep Accounts,

And account to the Juſtices, &c.

Under Penalty of £. 5 each.

V. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Church-Wardens in their reſpective Precincts aforeſaid, ſhall, by Warrant, as aforeſaid, pay unto the reſpective Miniſters, the Maintenance aforeſaid, by four equal and quarterly Payments, under the Penalty and Forfeitures, of *Five Pounds* current Money aforeſaid, for each Neglect, Refuſal, or Default; the one Half of all which Forfeitures, ſhall be diſpoſed of to the Uſe of the Poor, in the reſpective Precincts where the ſame doth ariſe, and the other Half to him or them that ſhall proſecute the ſame.

They to pay the Miniſters quarterly.

VI. **Always Provided, and be it further Enacted** *by the Authority aforeſaid*, That all and every of the reſpective Miniſters, that ſhall be ſettled in the reſpective Cities, Counties, and Precincts aforeſaid, ſhall be called to officiate in their reſpective Precincts, by the reſpective Veſtry-Men and Church-Wardens aforeſaid. And, *Always Provided*, That all former Agreements, made with Miniſters throughout this Province, ſhall continue and remain in their full Force and Virtue; any Thing contained herein to the contrary hereof, in any wiſe notwithſtanding.

Miniſters to be called by the Veſtry-Men, &c.

This Act not to affect former Agreements with Miniſters.

CHAP. XXXVII.

6th *Wm. & Mary*, A. D. 1694.

An ACT *for the Continuation of the additional Duty for one Year longer, to commence from the fourteenth Day of* November *next, to the fourteenth Day of* November *then next following.*

Paſs'd the 26th of March, 1694.

Expired 14th of *November*, 1695. See Ch. 42.

CHAP. XXXVIII.

Obſolete

An ACT *to enable the City and County of* Albany, *to defray their neceſſary Charge.*

Paſs'd the 26th of March, 1694.

CHAP. XXXIX.

Obſolete.

An ACT *for the raiſing and paying One Hundred and Seventy Men, for ſecuring the Frontiers of this Province, in the City and County of* Albany.

Paſs'd the 26th of March, 1694.

The

6th *Wm.* & *Mary*, A. D. 1694.

The Fourth ASSEMBLY.

SECOND SESSIONS.

CHAP. XL.

An ACT *to enable* Isaac Lanser, *to set up a Mill for making Linseed Oyl.* Private.

Pass'd the 17th of October, 1694.

CHAP. XLI.

An ACT *for the Raising Five Hundred Pounds, and for paying One Hundred Men, to be raised for the Reinforcing the Frontiers of this Province, in the City and County of* Albany. Obsolete.

Pass'd the 22d of October, 1694.

CHAP. XLII.

An ACT *for Continuing the additional Duty for One Year longer, for the raising Six Hundred Pounds towards the Rebuilding the Chappel, and mounting of sixteen Great Guns,* &c. See Ch. 37. Expired 14th of *November*, 1696.

Pass'd the 23d of October, 1694.

The Fourth ASSEMBLY.

THIRD SESSIONS.

No ACTS were passed in this SESSION.

The Fourth ASSEMBLY.

7th *William* III. A. D. 1695.

FOURTH SESSIONS.

CHAP. XLIII.

An ACT *for Raising Eight Hundred Pounds, for paying the Soldiers now employed for securing the Frontiers of this Province.* Obsolete.

Pass'd the 2d of July, 1695.

CHAP. XLIV.

An ACT *for the Encouragement of Seamen.* Provided for, by Ch. 88.

Pass'd the 3d of July, 1695.

7th *William* III. A. D. 1695.

See Ch. 25. Continued Ch. 77.

CHAP. XLV.

An ACT *for the Continuance of the Act for the Encouraging the Poſt-Office three Years longer.*

Paſs'd the 3d of July, 1695.

CHAP. XLVI.

Obſolete.

An ACT *to enable the City and County of* Albany *to defray their neceſſary Charge.*

Paſs'd the 3d of July, 1695.

CHAP. XLVII.

Obſolete.

An ACT *to enable the City and County of* New-York, *to relieve the Poor, and defray their neceſſary and publick Charge.*

Paſs'd the 3d of July, 1695.

CHAP. XLVIII.

Loſt.

An ACT *to prevent the Deſertion of Soldiers, in Pay within this Province.*

Paſs'd the 3d of July, 1695.

CHAP. XLIX.

Revived Ch. 75.

An ACT *for Regulating the retaining Attornies at Law.*

Paſs'd the 16th of October, 1695.

CHAP. L.

Obſolete.

An ACT *for Raiſing One Thouſand Pounds, to be employed by an Agent, for the Repreſentation of the State of the Province.*

Paſs'd the 17th of October, 1695.

CHAP. LI.

Obſolete.

An ACT *for Raiſing Eight Hundred and Sixty four Pounds, Fifteen Shillings, for paying a Company of Fuzileers, now on the Frontiers.*

Paſs'd the 22d of October, 1695.

CHAP. LII.

An ACT *againſt the Profanation of the Lord's Day, called* Sunday.

Paſs'd the 22d of October, 1695.

Preamble.

WHEREAS the true and ſincere Service and Worſhip of GOD, according to his holy Will and Commandments, is often profaned and neglected by many of the Inhabitants and Sojourners within this Province, who do not keep holy the Lord's-Day, but in a diſorderly Manner, accuſtom themſelves to travel, labouring, working, ſhooting, fiſhing, ſporting, playing, Horſe-racing, frequenting of Tippling-Houſes, and the uſing many other unlawful Exerciſes and Paſtimes upon the Lord's-Day, to the great Scandal of the holy Chriſtian Faith:

7th *William* III. A. D. 1695.

I. **Be it therefore Enacted** *by the Governor, and Council, and Repreſentatives convened in General Aſſembly, and by the Authority of the ſame*, That from and after Forty Days next after the Publication hereof, there ſhall be no travelling, ſervile labouring and working, ſhooting, fiſhing, ſporting, playing, Horſe-racing, hunting, or frequenting of Tippling-Houſes, or the uſing of any other unlawful Exerciſes or Paſtimes, by any of the Inhabitants or Sojourners within this Province, or by any of their Slaves or Servants, on the Lord's Day; and that every Perſon or Perſons offending in the Premiſſes, ſhall forfeit for every Offence, the Sum of *Six Shillings*, current Money of this Province, the ſame to be employed and collected, to the Uſe of the Poor of the Place where ſuch Offence ſhall be committed; and that any one Juſtice of the Peace, within the ſeveral reſpective Cities and Counties within this Province, where ſuch Offence ſhall be committed, upon his or their View, Confeſſion of the Party, or Proof of any one or more Witneſſes, by Oath, which the ſaid Juſtice, by Virtue of this Act, is authoriſed to adminiſter; ſhall find any Perſon or Perſons, offending in the Premiſſes, the ſaid Juſtice ſhall give Warrant, under his Hand and Seal, to the Conſtables of the reſpective Places where ſuch Offence is committed, to levy the ſaid Penalty ſo to be aſſeſſed, by way of Diſtreſs and Sale of the Offender's Goods, rendring to the ſaid Offender, the Overplus of the ſaid Money raiſed of the Goods ſo to be ſold, if any be: And in Default of ſuch Diſtreſs, that the Party offending, to be ſet publickly in the Stocks by the Space of three Hours. But if the Offender of the Premiſſes be either an Indian, or Negro Slave, or a Servant, ſhall, for each ſuch Offence whereof he or they ſhall be convicted, as aforeſaid, forfeit the Sum of *Six Shillings*, current Money, as aforeſaid: But in Default of not paying, then the Indian, Negro Slaves and Servant, offending in the Premiſſes, ſhall receive *Thirteen* Laſhes upon the naked Back, for each Offence committed by ſuch Indian, or Negro Slave, and Servant, as aforeſaid. And that if any Perſon or Perſons be ſued for the Execution of this Law, he ſhall and may plead the general Iſſue, and give the ſaid Matter of Juſtification in Evidence: *Provided*, That no Perſon be ſued or queſtioned by this Act, except he be called in Queſtion within one Month next after the ſaid Offence be committed. And, *Provided alſo*, That it ſhall be lawful for any Perſen to travel upon the Lord's Day, or to do any Act of Neceſſity, and to go to the Service and Worſhip of God, in any Church, or lawful Meeting within this Province; and from thence to return: *Provided*, Such Journey ſhall not exceed the Number of Twenty Miles. And, *Alſo Provided*, That it ſhall be lawful for the Poſt, or any other Perſon employed in his Majeſty's Service, or for any Perſon employed to bring a Phyſician, or a Midwife, to travel upon the Lord's Day, any Thing contained herein, to the contrary in any wiſe notwithſtanding. *Provided*, That this Law ſhall no ways extend to any Native, or free Indian within this Province, not profeſſing the Chriſtian Religion.

Traveling, ſervile Labours, and unlawful Exerciſes, forbidden on the Lord's-Day.

A Forfeiture of 6*ſ.* for the Offence, for the Poor.

To be aſſeſſed by one Juſtice, *&c.*

Levied by Diſtreſs, *&c.*

Indians, Negroes, *&c.* offending, to be whipped.

Perſon ſued for executing this Act, to plead general Iſſue, *&c.*

Suit to be brought in one Month.

Perſons going to Church within 20 Miles, excepted.

So alſo the Poſt, Phyſicians, *&c.*

And free Indians not profeſſing Chriſtianity.

CHAP. LIII.

An ACT *for Raiſing Seven Hundred Pounds, to enable his Excellency to keep the Men that are now in the Companies appointed by his Majeſty, and to encourage others to inliſt themſelves.* Paſs'd the 24th of October, 1695.

Obſolete.

CHAP. LIV.

An ACT *for Continuing an Act, entitled,* An *Act* for Eſtabliſhing Courts of Judicature two Years longer.

See Ch. 28. Continued Ch. 62.

Paſs'd the 24th of October, 1695.

CHAP.

8th *William* III. A. D. 1696.

CHAP. LV.

Private.

An ACT *for the better Enabling the Executors of* Thomas Lloyd, *Eſq; deceaſed, to ſell Land for Payment of Debts, and Portions, ſettled by the ſaid* Thomas Lloyd, *and* Patience, *his Wife, upon her Children by her former Huſband,* Robert Story, *deceaſed.*

Paſs'd the 16th of April, 1696.

CHAP. LVI.

Obſolete.

An ACT *for Raiſing One Hundred and Twenty effective Men, to be employed for the Reinforcing the Frontiers in the County of* Albany; *and for Raiſing the Sum of Two Thouſand Five Hundred and Ninety Three Pounds, Six Shillings and Eight Pence, to be diſtributed by his Excellency amongſt the ſaid Men, and the Reſt of the four Companies ſent over by his Majeſty.*

Paſs'd the 18th of April, 1696.

CHAP. LVII.

Obſolete.

An ACT *for Paying and Satisfying the Debts of the Government..*

Paſs'd the 18th of April, 1696.

CHAP. LVIII.

Obſolete.

An ACT *for Raiſing One Hundred Men, to be liſted in his Majeſty's three Companies poſted at* Albany, *for ſecuring of the Frontiers, and for the Raiſing One Thouſand Two Hundred Pounds, for the Encouragement of ſuch as ſhall liſt themſelves in the ſaid Companies,* &c.

Paſs'd the 30th of October, 1696.

CHAP. LIX.

Private.

An ACT *to vacate a Deed of Truſt executed by* John Robinſon, *and* Margaret *his Wife, for the Land now in the Tenure and Occupation of* Cornelius Barnſon.

Paſs'd the 30th of October, 1696.

9th *William* III. A. D. 1697. Obſolete.

CHAP. LX.

An ACT *to enable the City of* Albany *to pay their neceſſary Charge.*

Paſs'd the 21ſt of April, 1697.

CHAP. LXI.

Loſt.

An ACT *for Encouraging Collectors of the Taxes.*

Paſs'd the 21ſt of April, 1697.

CHAP. LXII.

See Ch. 54. Loſt.

An ACT *for Continuing the Act for Eſtabliſhing Courts of Judicature.*

Paſs'd the 21ſt of April, 1697.

CHAP.

9th *William* III. A. D. 1697.

CHAP. LXIII.

Obsolete.

An ACT *for Raising Two Thousand Three Hundred Pounds, to enable his Excellency to secure the Frontiers at* Albany, *and for Recruiting his Majesty's three Companies posted there.*

Pass'd the 26th of April, 1697.

The Fifth ASSEMBLY.

FIRST SESSIONS.

11th *William* III. A. D. 1699.

RICHARD Earl of BELLAMONT, Governor.

CHAP. LXIV.

Obsolete.

An ACT *for the Indemnifying of all such Persons as are excepted out of the general Pardon made by Act of Assembly of this Province, in the Year* 1691.

Pass'd the 15th of April, 1699.

CHAP. LXV.

The repealed Act is Ch. 16.

An ACT *for Repealing an Act of Assembly, entitled,* An *Act* for Regulating Damages done in the Time of the late Disorders, and for uniting the Minds of their Majesties Subjects within this Province; and for calling home such of their Majesties Subjects that have lately absented themselves from their Habitations, and the usual Places of their Abode.

Pass'd the 19th of April, 1699.

CHAP. LXVI.

Continued Ch. 214

An ACT *for Regulating and Returning able and sufficient Jurors, in Trials at Law.*

Pass'd the 19th of April, 1699.

CHAP. LXVII.

An ACT *for Restraining and Punishing Privateers and Pyrates.*

Pass'd the 19th of April, 1699.

Preamble.

WHEREAS Nothing can more contribute to his Sacred Majesty's Honour, than that such Articles, as are concluded and agreed upon, in all Treaties of Peace, should, by all his Majesty's Subjects, according to their Duty, be most inviolably preserved and kept, in and over all his Majesty's Dominions and Territories; and whereas, not only against such Treaties of Peace, made by his Majesty, with his Allies, but also contrary to his Majesty's Royal Proclamation, several of his Subjects have, and do continually go off from this his Majesty's Province of *New-York*, into foreign Princes Service, and sail under their Commissions, contrary to their Duty and good Allegiance, and by fair Means cannot be restrained from so doing.

11th *William* III. A. D. 1699.

I. **Be it therefore Enacted** *by the Governor, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after Publication hereof, it ſhall be Felony for any Perſon, which now doth, or within four Years laſt paſt, heretofore hath, or hereafter ſhall, inhabit or belong to this Province, to ſerve in *America* in an hoſtile Manner, under any foreign Prince, State or Potentate, or any Employers under any of them, againſt any other foreign Prince, State, or Potentate, in Amity with his Majeſty of *Great-Britain*, without ſpecial Licence for ſo doing, under the Hand and Seal of the Governor, or Commander in Chief of this Province, for the Time being; and that all and every ſuch Offender or Offenders, contrary to the true Intent of this Act, being thereof duly convicted in his Majeſty's Supreme Court of Judicature within this Province; to which Court, Authority is hereby given to hear, and to determine the ſame, as other Caſes of Felony; ſhall ſuffer Pains of Death without Benefit of the Clergy. *Provided Nevertheleſs*, That this Act, nor any Thing therein contained, ſhall extend to any Perſon or Perſons, which now are, or have been in the Service or Employment of any foreign Prince, State or Potentate whatſoever, that ſhall return to this Province, and leave and deſert ſuch Service and Employment, before the firſt Day of *May*, in the Year of our Lord One Thouſand and Seven Hundred next enſuing, rendring themſelves to the Governor, or Commander in Chief for the Time being, and give him ſuch Security as he ſhall appoint, for their future good Behaviour; and alſo, that they ſhall not depart this Province, without the Governor's Ticket.

Any Perſon ſerving under any foreign Prince, in a hoſtile Manner, againſt any Prince in Amity with the King,
Without Licence from the Governor,
And convicted in the Supreme Court, ſhall ſuffer Death without Benefit of Clergy.
This Act not to extend to ſuch as ſhall return by 1ſt *May*, 1700.
Render themſelves to the Governor; And give Security for their good Behaviour; and not to depart the Province without Leave.

II. And for the better and more ſpeedy Execution of Juſtice upon ſuch, who having committed Treaſon, Piracies, Felonies, and other Offences upon the Sea, ſhall be apprehended in, or brought Priſoners to this Province; **Be it further Enacted** *by the Authority aforeſaid*, That all Treaſons, Felonies, Piracies, Robberies, Murthers, or Confederacies, committed, or that hereafter ſhall be committed upon the Sea, or in any Haven, Creek, or Bay, where the Admiral hath Juriſdiction; ſhall be inquired, tried, heard, determined and adjudged, within this Province, in ſuch like Form, as if ſuch Offence had been committed in and upon the Land; and to that End and Purpoſe, Commiſſions ſhall be had under the King's Great Seal of this Province, directed to the Judge or Judges of the Admiralty, of this Province, for the Time being, and to ſuch other ſubſtantial Perſons, as by his Majeſty's Governor, or Commander in Chief of this Province for the Time being, ſhall be named or appointed; which ſaid Commanders, or ſuch a Quorum of them, by ſuch Commiſſion, ſhall be thereunto authoriſed, ſhall have full Power to do all Things in and about the Inquiry, Hearing, Determining, Adjudging, and Puniſhing of the Crimes and Offences aforeſaid, as any Commiſſioners to be appointed by Commiſſion under the Great Seal of *England*, by Virtue of a Statute made in the Twenty eighth Year of the Reign of King Henry the Eighth, are impowered to do and execute within the Kingdom of *England*: And that the ſaid Offenders which are, or ſhall be apprehended in, or brought Priſoners to this Province, ſhall be liable to ſuch Order, Proceſs, Judgment, and Execution, by Virtue of ſuch Commiſſion to be grounded upon this Act, as might be awarded or given againſt them, if they were proceeded againſt within the Realm of *England*, by Virtue of any Commiſſion grounded upon the ſaid Statute; and all Tryals heretofore had againſt ſuch Criminal or Criminals, before any Judge or Judges, by Virtue of ſuch Commiſſion or Authority, at any Time heretofore granted; and all Proceedings thereupon, are hereby ratified, confirmed and adjudged lawful; and all ſuch Judges, with all and every the Inferior Officers that acted thereby, are hereby indemnify'd, to all Intents and Purpoſes whatſoever. In Caſe they, or any of them, ſhall at any Time hereafter be ſued, vexed, moleſted or troubled, for any ſuch their Proceedings as aforeſaid; he or the

Treaſons, Felonies &c. committed in the Admiral's Juriſdiction, to be inquired and tried, &c. as if they had been committed upon the Land.
For which Purpoſe Commiſſions ſhall be iſſued under the Great Seal of the Province.

Which Commiſſioners ſhall have full Power to inquire, hear, &c. as fully as any Commiſſioners appointed by the Stat. of 28 *H.* 8th. and Offenders to be proſecuted by the Commiſſion grounded on this Act, as if they were proceeded againſt in *England*, by Commiſſion grounded on the Stat. of 28 *H.* 8th.

Commiſſioners and other Officers acting purſuant to ſuch Commiſſion, and this Act indemnifi'd, enabled to plead the general Iſſue, and give this Act in Evidence.

ſo vexed or moleſted, ſhall plead the general Iſſue, and give this Act in Evidence, any Law, Statute, Cuſtom or Uſage to the contrary, in any wiſe notwithſtanding.

III. **Be it further Enacted** *by the Authority aforeſaid*, That all and every Perſon or Perſons, that ſhall any way knowingly entertain, harbour, conceal, trade, or hold any Correſpondence by Letter, or otherwiſe, with any Perſon or Perſons that ſhall be deemed or adjudged to be Privateers, Pyrates, or other Offenders, within the Conſtruction of this Act, and that ſhall not readily endeavour, to the beſt of his or their Power, to apprehend, or cauſe to be apprehended; Such Offender or Offenders ſhall be liable to be proſecuted, as Acceſſaries and Confederates, and to ſuffer ſuch Pains and Penalties as in ſuch Caſe by Law, is provided.

All ſuch as ſhall knowingly harbour, conceal, &c. Offenders, within the Conſtruction of this Act, and ſhall not endeavour to apprehend them, to be proſecuted as Acceſſaries.

IV. AND for the better and more effectual Execution of this Act, **Be it further Enacted** *by the Authority aforeſaid*, That all Commiſſion Officers, in their ſeveral Precincts within this Province, are hereby required and impowered, upon his or their Knowledge, or Notice given, that any Privateers, Pyrates, or other Perſons ſuſpected to be upon any unlawful Deſign, are in any Place within their reſpective Precincts; to raiſe and levy ſuch a Number of well armed Men, as he or they ſhall think needful, for the Seizing, Apprehending, and Carrying to Goal, all and every ſuch Perſon and Perſons: And in Caſe of any Reſiſtance, or Refuſal to yield Obedience to his Majeſty's Authority, it ſhall be lawful to kill, or deſtroy, ſuch Perſon or Perſons; all and every ſuch Perſon or Perſons, that ſhall oppoſe or reſiſt, by ſtriking or firing upon any of the Commander's Parties, ſhall be deemed, taken, and adjudged, as Felons, without Benefit of the Clergy; and every ſuch Officer, that ſhall omit or neglect his Duty herein, ſhall forfeit *Fifty Pounds*, current Money of this Province, for every ſuch Offence; to be recovered in any of his Majeſty's Courts of Record within this Province, by Bill, Plaint, or Information, wherein no Eſſoin, Wager of Law, or Protection, ſhall be allowed; one Moiety thereof to be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Province, and the contingent Charges thereof; and the other Moiety to the Informer; and all and every Perſon and Perſons, that upon Orders given him or them, ſhall refuſe to repair immediately, with his or their Arms well fixed, and Ammunition, to ſuch Place or Places, as ſhall be appointed by the ſaid Officer, and not readily obey his Commands in the Execution of the Premiſſes, ſhall be liable to ſuch Fine or corporal Puniſhment, as by a Regimental Court Marſhal ſhall be thought fit.

All Commiſſion Officers impowered upon Notice of any unlawful Deſign by the Offenders of this Act, to levy Men for ſeizing and carrying them to Jail. And in Caſe of Reſiſtance, to kill them; and thoſe that reſiſt, ſhall be accounted Felons, without Benefit of Clergy.

Officer neglecting his Duty, to forfeit £. 50.

One Moiety to the King, for Support of Government, the other to the Informer.

Thoſe that refuſe to bear Arms under theſe Officers, to be puniſhed by a Court-Martial.

CHAP. LXVIII.

An ACT *for Committing* Ebenezer Wilſon *and* Samuel Burt, *Farmers of the Exciſe, for their contemptuous refuſing to render an Account what they farmed the ſame for.*

Obſolete.

Paſs'd the 20th of April, 1699.

CHAP. LXIX.

An ACT *for Preventing vexatious Suits, and ſettling and quieting the Minds of his Majeſty's peaceable Subjects within this Province.*

Obſolete.

Paſs'd the 26th of April, 1699.

CHAP. LXX.

An ACT *for Settling the Eſtate of* Jacob Milbourn, *Eſq; deceaſed.*

Private.

Paſs'd the 2d of May, 1699.

CHAP.

11th *William* III. A. D. 1699.

Obſolete.

CHAP. LXXI.

An ACT *for Granting unto his Majeſty, the Sum of Two Thouſand Pounds; One Thouſand Five Hundred Pounds whereof, to be allowed to his Excellency* RICHARD *Earl of* BELLAMONT, *and Five Hundred to Capt.* JOHN NANFAN, *Lieutenant Governor.*

Paſs'd the 5th of May, 1699.

CHAP. LXXII.

An ACT *for Preventing of Treſpaſſes.*

Paſs'd the 5th of May, 1699.

Preamble.

WHEREAS great Damage and Waſte is made upon the Commons, and particular Freeholds, belonging to the Inhabitants of this Province, by a Number of idle Perſons, who enter upon other Perſon's Eſtates, and cut down their Timber, and carry it away clandeſtinely, to the great Loſs of the Owners thereof: For the preventing of ſuch Practices for the Future;

Perſons cutting or carrying off Wood, &c. from Lands in the Right and Poſſeſſion of others, or from Commons in which they have no Right, to forfeit 20*ſ.* for every Tree one Foot over; and 6*ſ.* for Trees leſs, &c. to be recovered before a Juſtice, if the Forfeiture is under £. 5. If above £. 5, in the Court of Common Pleas; for ſecond Offence, a Forfeiture of 40*ſ.* or a Month's Impriſonment, &c.

I. **Be it Enacted** *by his Excellency, and Council, and Repreſentatives convened in General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That if any Perſon or Perſons, ſhall cut or carry off any Manner of Wood, Under-Wood, Timber, Poles, or Trees, ſtanding, lying, or growing on the Land, which to them does not belong, but is in the Right and Poſſeſſion of any other, or of or from the Commons of any Town within this Province, other than that to which he doth belong; or if within the ſame Town, having no Right or Privilege there, without Leave or Licence from the major Part of the Propriety, or the Truſtees of ſuch Commons, or the Owner or Owners, Poſſeſſor or Poſſeſſors, of the Land whereon ſuch Wood, Under-Wood, Timber, Poles, or Trees, were ſtanding, lying, or growing: Every Perſon ſo offending, ſhall forfeit and pay unto the Party or Parties injured, or treſpaſſed upon, the Sum of *Twenty Shillings*, current Money of this Province, for every Tree of one Foot over; and the Sum of *Six Shillings*, current Money aforeſaid, for every Tree or Pole under that Bigneſs; and for other Wood, or Under-Wood, the Value thereof; to be recovered by Action, Bill, Plaint or Information, before any Juſtice of the Peace in the County where the Offence is committed, if the Forfeiture exceed not *Five Pounds*; but if it be above that Value, then before the Inferior Court of Common-Pleas, within the ſame County: And if any Perſon ſhall be convict a ſecond Time of ſuch Offence, he ſhall forfeit and pay, to the Uſe of the Town where the Offence is committed, the Sum of *Forty Shillings*, current Money aforeſaid, or ſuffer one Month's Impriſonment, over and above the Forfeiture aboveſaid, or Damages to the Parties injured.

If Defendant before a Juſtice plead a Right, a Record to be made of it, and Recognizance to be entred into, that he will bring a Suit at the next Inferior Court, for Trial of his Right.

II. **And be it further Enacted** *by the Authority aforeſaid,* That when in Action of Treſpaſs brought before a Juſtice of Peace, the Defendant ſhall juſtifie, and demur upon Plea of Title, a Record ſhall be made thereof, and the Matter of Fact taken, *Pro Confeſſo*; and the Party making ſuch Plea, ſhall become bound with one or more Sureties, by way of Recognizance, unto the adverſe Party, in a reaſonable Sum, not exceeding *Twenty Pounds*, on Condition that he ſhall purſue his Plea, and bring forward a Suit for a Tryal of his Title, at the next Inferior Court of Common-Pleas, to be holden for the County in which ſuch Treſpaſs is alledged to be done, and pay and ſatisfy ſuch Damages and Coſts as by the ſaid Court ſhall be awarded againſt him; which Recognizance the Juſtice is hereby impowered to require and take, and ſhall be paid for the ſame by the Recognizor,

Recognizor, the Sum of *Eighteen Pence*, and for entring his Plea, *Nine Pence*; and at the Charge alſo of the ſame Party, ſhall certify the Proceſs and Record of ſuch Plea, together with the Recognizance, unto the ſaid Inferior Court of Common-Pleas: And if ſuch Recognizor ſhall neglect to bring forward ſuch Suit at the Inferior Court, according to the Tenor of his Recognizance, the Default ſhall be entered in the ſaid Court, and a Writ of *Scire Facias*, ſhall iſſue out of the Clerk's Office of the ſame Court, in Manner as by Law is directed, for the Recovery of the Sum or Penalty in the ſaid Recognizance, mentioned of him the ſaid Recognizor, his Surety or Sureties: Or, if upon Tryal before the ſaid Court, he ſhall not make out a Title to the Land or Tenement on which the Treſpaſs is alledged to be done, paramount to the Poſſeſſion or other Title of the adverſe Party; Judgment ſhall be rendred for the Party upon whom the Treſpaſs has been done, for treble Damages, and Coſts of Suit. But if the Defendant in Treſpaſs, juſtifying on Plea of Title, ſhall refuſe or neglect to become bound in Manner as aforeſaid, then his Plea ſhall abate, and the Juſtice, notwithſtanding the ſame, ſhall proceed to try the Cauſe, as aforeſaid; and upon due Proof of the Treſpaſs committed by him, ſhall award Damages againſt him accordingly, to what ſhall be made out, and Coſt of Suit: And if upon the Opening and Pleading of any Action of Treſpaſs, there be proved any Force or Violence, and Breach of the Peace, the Party or Parties guilty thereof, ſhall be alſo fined to the King, or otherwiſe puniſhed, as the Law in ſuch Caſes does provide. *Always Provided*, That the City and County of *Albany*, and the County of *Ulſter*, be exempted from the Privilege of this Act; any Thing herein contained to the contrary hereof notwithſtanding.

11th *William* III. A. D. 1699.

Juſtice to certify the Proceſs, &c. to the Court.

If the Defendant neglect to bring a Suit, *Sire Facias* to be iſſued for the Penalty of the Recognizance.

If Suit is brought, and the Defendant caſt, treble Damages and Coſts.

If Defendant will not enter into Recognizance Juſtice to proceed.

If Force found, the Perſon guilty to be fined.

Albany and *Ulſter* exempted.

CHAP. LXXIII.

An ACT *for Raiſing an additional Duty, for defraying the Debts of the Government.*

Obſolete.

Paſs'd the 5th of May, 1699.

CHAP LXXIV.

An ACT *for Regulating Elections of Repreſentatives in General Aſſembly.*

See another Act for this Purpoſe, Ch. 94.

Paſs'd the 8th of May, 1699.

WHEREAS of late, the Election of Repreſentatives to ſerve in Aſſembly, in the reſpective Cities and Counties of this Province, have been managed with great Outrage, Tumult, and Deceit, to the grievous Oppreſſion, and depriving of the Subject of his chiefeſt Birth-Right, in chuſing of his Repreſentatives in Aſſembly: For Remedy whereof for the Time to come, and that the Subject may freely enjoy his undoubted Right of electing his Repreſentatives without Diſturbance or Moleſtation;

Preamble.

I. **Be it Enacted** *by his Excellency the Governor, and Council, and Repreſentatives convened in General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the Repreſentatives of the Cities and Counties to be choſen within this Province, to come to the Aſſembly of our Lord the King in this Province, hereafter to be holden, ſhall be choſen in every City, and County, and Manor of this Province, who have Right to chuſe, by People dwelling and reſident

Electors to be Reſidents,

11th *William* III. A. D. 1699.

in the ſame Cities, Counties, and Manors; whereof, every one of them ſhall have Land or Tenements improved to the Value of *Forty Pounds* in Free-hold, free from all Incumbrances, and have poſſeſſed the ſame, Three Months before the Teſt of the ſaid Writ; and they which ſhall be choſen, ſhall be dwelling and reſident within the ſame Cities, Counties, and Manors; and ſuch as have the greateſt Number of them, who ſhall have Lands or Tenements improved, to the Value of *Forty Pounds* in Free-hold, free from all Incumbrances, as aforeſaid, ſhall be returned by the Sheriffs of every City, Counties, and Manors, Repreſentatives for the Aſſembly, by Indentures ſealed betwixt the ſaid Sheriffs and the ſaid Chuſers, ſo to be made. And every Sheriff of this Province, ſhall be hereby impowered, and have Authority to examine upon Oath, every ſuch Chuſer, whether he be qualified, by having ſuch an Eſtate, as aforeſaid, to chuſe. And if any Sheriff, ſhall return Repreſentatives to come to the Aſſembly, contrary to the Intent of this Act, and thereof be convicted, in the Supreme Court of this Province, ſhall incur the Pain, and Forfeiture of *Fifty Pounds*, to the Uſe of our Lord the King, His Heirs, and Succeſſors. And the Repreſentatives returned contrary to this Act, ſhall not be qualified to ſit in Aſſembly, and ſhall loſe their Wages.

And have a Freehold of £. 40 Value, of which they muſt have been poſſeſſed three Months before the Writ.

Elected, to be returned by Indentures between Sheriffs and Electors; Sheriffs to examine Electors upon Oath; and if he return any not qualified, to forfeit £. 50.

II. And whereas the Freeholders, and others, in their Right of Election, as alſo, the Perſons by them elected, to be their Repreſentatives, have heretofore been greatly injured and abuſed: Now for remedying of the ſame, and preventing the like for the future, **Be it further Enacted** *by the Authority aforeſaid*, That when any new Aſſembly, ſhall at any Time hereafter be ſummoned or called, there ſhall be Forty Days between the Teſt, and Returns of the Writs of Summons; and that the Secretary, or Clerk of the Crown, of this Province, ſhall iſſue out the Writs, for the Election of Repreſentatives to ſerve in the ſame Aſſembly, with as much Expedition as the ſame may be done; and the Writs ſhall be ſealed and delivered to the reſpective Sheriffs, of the Cities and Counties aforeſaid; and that every ſuch Sheriff, upon the Receipt of the ſame Writ, ſhall, upon the Back thereof, endorſe the Day he received the ſame; and within Six Days after he hath received the ſaid Writ of Election, ſhall cauſe publick Notice to be given, of the Time and Place of Election, and give Six Days Notice at leaſt, of the Day appointed, to the Conſtable of each Town within his Bailiwick, to be by the ſaid Conſtables, affixed to the moſt publick Place of each Town, as aforeſaid, for the Election.

Forty Days between Teſt and return of Summons.

Sheriff to endorſe on the Writ, the Day he received it,

and in ſix Days, publiſh the Time and Place of Election.

III. **And be it further Enacted** *by the Authority aforeſaid*, That neither the Sheriff, or Under-Sheriff, in any City or County within this Province, ſhall give, pay, receive, or take any Fee, Reward, or Gratuity whatſoever, for the Making out, Receipt, Delivery, Return, or Execution of any ſuch Writ or Precept.

No Fees for the Sheriff's Service.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That upon every Election, to be made, of any Repreſentative, to ſerve in this or any future Aſſembly, the Sheriff of the City or County, where ſuch Election ſhall be made, ſhall hold his Court for the ſame Election, at the moſt publick and uſual Place of Election, within the ſaid City or County, where the ſame has moſt uſually been made. And in caſe the ſaid Election, be not determined upon the View, with the Conſent of the Electors there preſent, but that a Poll ſhall be required for the Determination thereof; then the ſaid Sheriff, or in his Abſence his Under-Sheriff, with ſuch others as ſhall be deputed by him, ſhall forthwith there proceed to take the ſaid Poll, in ſome open or publick Place or Places by the ſame Sheriff, or his Under-Sheriff, as aforeſaid, in his Abſence, or others appointed for the taking thereof, as aforeſaid.

Election to be made at the moſt publick Place.

If Election cannot be determined on View, a Poll to be taken.

V. An

11th *William* III. A. D. 1699.

V. AND for the more due, and orderly Proceeding in the ſaid Poll, the ſaid Sheriff, or in his Abſence, his Under-Sheriff, or ſuch as he ſhall depute, ſhall appoint ſuch Number of Clerks, as to him ſhall ſeem meet and convenient, for taking thereof; which Clerks ſhall take the ſaid Poll, in the Preſence of the ſaid Sheriff, or his Under-Sheriff, or ſuch as he ſhall depute; and before they begin to take the ſaid Poll, every Clerk ſo appointed, ſhall, by the ſaid Sheriff, or his Under-Sheriff, as aforeſaid, be ſworn truly and indifferently to take the ſame Poll, and to ſet down the Names of each Elector, and the Place of his Free-hold, and for whom he ſhall Poll, and to Poll no Elector who is not ſworn, if ſo required by the Candidates, or any of them, then and there preſent; (which Oath of the ſaid Clerks, the ſaid Sheriff, or his Under-Sheriff, or ſuch as he ſhall depute, are hereby impowered to adminiſter.) And the Sheriff, or in his Abſence, the Under-Sheriff, as aforeſaid, ſhall appoint for each Candidate, ſuch one Perſon as ſhall be nominated to him by each Candidate, then and there preſent, to be Inſpectors of every Clerk, who ſhall be appointed for taking of the Poll. And every Elector, before he is admitted to Poll at the ſame Election, ſhall, if required by the Candidates, or any of them, firſt take the Oath herein after mentioned; which Oath, the ſaid Sheriff, by himſelf, or his Under-Sheriff, or ſuch ſworn Clerk by him appointed for taking of the ſaid Poll, as aforeſaid, are hereby authorized to adminiſter, *viz.*

For which Clerks ſhall be appointed.

Who ſhall be ſworn.

Inſpector for each Candidate to be appointed, to ſee the Poll taken.

Every Elector, if required, ſhall be ſworn.

YOU ſhall Swear, That you are a Free-holder for the County of, and have improved Land or Tenement, to the Value of Forty Pounds, lying at within the ſaid County of Free-hold: And that you have not been before Polled at this Election, nor have you procured this Free-hold to gain your Voice in this Election. So help you God.

The Oath.

VI. AND in Caſe any Free-holder, or any other Perſon taking the ſaid Oath, ſhall thereby commit wilful and corrupt Perjury, and be thereof Convicted; or if any Perſon do unlawfully or corruptly procure, or ſuborn any Free-holder, as aforeſaid, or other Perſon, and ſhall be thereof convicted; he and they, for every ſuch Offence, ſhall incur the like Pains and Penalties as are in, and by one Act of Parliament, made in the Fifth Year of the Reign of the late Queen *Elizabeth*, entituled, *An Act for Puniſhment of ſuch Perſons, as ſhall procure or commit any wilful Perjury*, enacted againſt all ſuch who ſhall commit wilful Pejury, or ſuborn or procure any Perſon to commit any unlawful and corrupt Perjury, contrary to the ſaid Act.

The Puniſhment for Perjury, and Subornation of Perjury.

VII. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Sheriff, or in his Abſence, his Under-Sheriff, or ſuch as he ſhall depute, as aforeſaid, ſhall, at the ſame Place of Election, proceed to the Polling all the Elections † then and there preſent, and ſhall not adjourn the Poll then and there held, to any other Town or Place within the ſame County, without the Conſent of the Candidates, then and there preſent, nor ſhall by any unneceſſary Adjournment in the ſame place of Election, protract or delay the Election, but ſhall duly and orderly proceed in the taking of the ſaid Poll, from Time to Time, from Day to Day, without any further or other Adjournment, without the Conſent of the Candidates then and there preſent, until all the Electors then and there preſent, ſhall be Polled, and no longer.

Poll to be taken at Place of Election, & no unneceſſary Adjournment, without Conſent of the Candidates.

VIII. **And be it further Enacted** *by the Authority aforeſaid*, That every Sheriff, Under-Sheriff, or other deputed by him, to whom the Election ſhall belong, for the Electing of Repreſentatives to ſerve in Aſſembly, ſhall forthwith deliver to ſuch Perſon or Perſons, as ſhall deſire the ſame, a Copy of the Poll taken at ſuch Election, paying only a reaſonable Charge for writing the ſame. And

Copy of the Poll to be delivered to all Perſons who ſhall pay for it.

† *Supposed to be intended for* Electors.

11th *William* III. A. D. 1699.

And every Sheriff, Under-Sheriff, or other Perſon deputed by him, to whom the Execution of any Writ or Precept, for Electing Repreſentatives to ſerve in Aſſembly doth belong, for every wilful Offence, contrary to this Act, ſhall forfeit to every Party ſo grieved, the Sum of *Thirty Pounds*; to be recovered by him, or them, his or their Executors or Adminiſtrators, together with full Coſts of Suit, and for which, he or they may ſue by Action of Debt, Bill, Plaint, or Information, in any Court of Record in this Province, wherein no Eſſoign, Protection, Wager of Law, Privilege, or Imparlance, ſhall be admitted or allowed.

Sheriff, &c. offending, to forfeit £. 30.

IX. **And be it further Enacted** *by the Authority aforeſaid*, That no Perſon whatſoever, being under the Age of Twenty one Years, ſhall at any Time hereafter be admitted to give his Vote for Election of any Repreſentative or Repreſentatives, to ſerve in this or any future Aſſembly. And that no Perſon hereafter, ſhall be capable of being elected a Repreſentative, to ſerve in this, or any future Aſſembly, who is not of the Age of Twenty one Years. And every Election, or Return of any Perſon under that Age, is hereby declared to be null and void. And if any ſuch Minor hereafter choſen, ſhall preſume to ſit or vote in Aſſembly, he ſhall incur ſuch Penalties and Forfeitures, as if he had preſumed to ſit and vote in Aſſembly, without being choſen and returned.

No Infant ſhall vote.

Nor be elected.

X. **Always Provided**, That the Freemen in the Corporations of the Cities of *New-York* and *Albany*, have Liberty to vote in their reſpective Corporations: *Provided*, That they have been Freemen of the ſaid Corporations, and have actually dwelt there *Three Months*, before the Teſt of any ſuch Writ of Election, in Manner aforeſaid, ſhall be iſſued out; any Uſage, Cuſtom, or Law, to the Contrary hereof, in any wiſe notwithſtanding.

Freemen of *New-York*, and *Albany*, qualified to vote, if free three Months before Teſt of the Writ.

The Remainder of this Act is Obſolete.

CHAP. LXXV.

See Ch. 49. Expired 8th *May*, 1706.

An ACT *for Reviving an Act of Aſſembly, for Regulating Attornies at Law.*

Paſs'd the 8th of May, 1699.

CHAP. LXXVI.

Loſt.

An ACT *for preventing Frauds and Embezzelments, and for the better Regulating and Securing his Majeſty's, and his Subjects, juſt Rights to all Drift-Whales, and other royal Fiſhes, that ſhall be caſt on the Shore, or found floating on the Coaſts of this Province.*

Paſs'd the 10th of May, 1699.

CHAP. LXXVII.

See Ch 45. Continued Ch. 117

An ACT *for Continuing the Poſt-Office for two Years longer.*

Paſs'd the 10th of May, 1699.

CHAP. LXXVIII.

Expired 11th of *May* 1701.

An ACT *for Enabling the City and County of* Albany *to defray their neceſſary Charge.*

Paſs'd the 11th of May, 1699.

CHAP.

11th *William* III. A. D. 1699.

CHAP. LXXIX.

The Original *of this Act we cannot find in the Secretary's-Office; but an Act of this Title was* confirmed *by Queen* ANNE *the 26th* June, 1708, *said Confirmation;*

This is copied from Bradford's *Edition.*

An ACT *for the Vacating, Breaking and Annulling, ſeveral extravagant Grants of Land, made by Colonel* Fletcher, *late Governor of this Province, under his Majeſty.*

Paſs'd the 12th of May, 1699.

and repealed Ch. 126, *which was* repealed *by the Queen at the Time of the and what relates to* Freſh-Water *Pond in* Sect. 3, *is* repealed *by* Chap. 600.

Preamble. Recital of the extravagant Grants.

WHEREAS their Excellencies, the Lords Juſtices of ENGLAND, have, by their Inſtructions unto his Excellency the Governor, bearing Date the Tenth Day of *November*, One Thouſand Six Hundred Ninety Eight, directed to his ſaid Excellency, to uſe all legal Means, for the *Breaking of extravagant Grants of Lands in this Province.*

A Grant to *Godfrey Dellius*, for a Tract of Land containing 12 Miles, reſerving the Rent of one Raccoon Skin *per Annum.*

AND whereas there is an *extravagant Grant of Land*, ſealed with the Seal of the Province, made by Colonel *Benjamin Fletcher*, the late Governor of this Province, under his Majeſty, unto Mr. *Godfrey Dellius*, bearing Date the Third Day of *September*, One Thouſand Six Hundred Ninety Six, and *regiſtred* in the *Secretary's-Office*; containing a certain Tract of Land lying upon the Eaſt Side of *Hudſon's-River*, between the Northermoſt Bounds of *Saraghtoga*, and the Rock *Roſſian*, containing about Seventy Miles in Length, and goes backward into the Woods, from the ſaid *Hudſon's-River*, Twelve Miles, until it comes unto the *Wood-Creek*, and ſo far as it goes, be it Twelve Miles, more or leſs, from *Hudſon's-River*, on the Eaſt Side, and from ſaid Creek, by a Line, Twelve Miles diſtant from ſaid River: *To have and to Hold the ſaid Land and Appurtenances*, unto him, the ſaid *Godfrey Dellius*, his Heirs and Aſſigns, for ever, under the Rent reſerved, of *One Raccoon Skin per Annum.*

A Grant to the ſaid *Dellius*, *William Pinhorn*, and *Evert Banker*, for a Tract of Land on the *Mohawk's* River.

Reſerving the Rent of one Beaver Skin for the firſt ſeven Years, and five, yearly, for ever thereafter.

AND whereas there is another *extravagant Grant of Land*, made as aforeſaid, unto the ſaid *Godfrey Dellius*, *William Pinhorn*, and *Evert Banker*, &c. ſealed alſo with the Seal of the Province, bearing Date the One and Thirtieth Day of *July*, One Thouſand Six Hundred Ninety Seven; and likewiſe *regiſtred* in the *Secretary's-Office*; containing a certain Tract of vacant Land, *lying upon Mohawk's-River*, above a Place commonly called, and known by the Name of *Orackee*, beginning from a Place called by the Natives, *Owendiere*, and runs up along the ſaid River, about Fifty Miles, more or leſs, to a Place called *Arach-Sochne*, and extending in Breadth between the ſaid Places, *Owendiere* and *Arach-Sochne*, two Miles on each Side of the River, as it runs: *To have and to Hold the ſaid Tract of Land and Appurtenances*, unto the ſaid *Godfrey Dellius*, *Evert Banker*, *William Pinhorn*, &c. their Heirs and Aſſigns, for ever, under the reſerved Rent of *One Beaver* Skin for the firſt Seven Years, *and five Beaver Skins yearly*, for ever thereafter: That it having appeared before the Houſe of Repreſentatives convened in General Aſſembly, that Mr. *Godfrey Dellius* has been a principal Inſtrument in deluding the *Maquaas Indians*, and illegal and ſurreptitious obtaining of ſaid Grants, that he ought to be, and is hereby ſuſpended from the Exerciſe of his Miniſterial Function in the City and County of *Albany.*

The ſaid *Godfrey Dellius* ſuſpended from the Exerciſe of his Miniſterial Function.

A Grant to Col. *Nicholas Bayard*, lying on *Skohaire* Creek.

AND whereas there is another extravagant Grant of Land, made in the Manner aforeſaid, unto Col. *Nicholas Bayard*, bearing Date the Twelfth Day of *December*, One Thouſand Six Hundred Ninety Five, Six, and *regiſtred* in the *Secretary's-Office*; containing a certain Tract of Land, ſituate, lying and being, upon the Creek commonly called and known by the Name of *Skohaire*, which runs into the *Maquaas-River*, about Twenty-four Miles above *Schenectady*, beginning at the Mouth of the ſaid Creek, from the Indian Fields called *Meanderage*, and extending upwards on both Sides of the ſaid Creek, to the Head, or firſt Spring thereof, where it ends, at or near the Hill, commonly

11th *William* III. A. D. 1699.

known by the Name *Kanjearagore*; the Whole being bounded on the North, by the ſaid Indian Fields of *Icanderage*; on the Eaſt and Weſt, by the Ridge of Hills; and South, by the Hill *Kanjearagore*; and the ſame erected into a *Lordſhip, or Manor*, by the Name of, *The Manor of Kingfield: To have and to Hold* the ſaid Tract of *Land*, and *Lordſhip*, or *Manor of Kingfield*, and Appurtenances, unto him, the ſaid *Nicholas Bayard*, his Heirs and Aſſigns for ever, under the reſerved Rent of, *One Otter Skin per Annum*.

Reſerving the yearly Rent of one Otter Skin.

AND whereas there is another *extravagant Grant of Land*, made in the Manner aforeſaid, unto Capt. *John Evans*, bearing Date the Twelfth Day of *September*, One Thouſand Six Hundred and Ninety Four, *regiſtred* in the *Secretary's-Office*, containing all that Tract and Parcel of Land ſituate, lying, and being upon the Weſt Side of *Hudſon's-River*, beginning from the South Side of the Land called the *Palſe*, now inhabited by *French-men*, and extending thence Southerly, along the ſaid *Hudſon's-River*, to the Land belonging to the *Indians* at the *Murderers-Kill*, and extending Weſtward to the Foot of the high Hills called *Pitkiſkaker* and *Aiaſkawaſting*, and thence extending Southerly, all along the ſaid Hills, and the River called *Peakadaſank*, to a Water-Pond lying upon the ſaid Hills, called *Merchary*, comprehending all thoſe Lands, Meadows, and Woods called *Neſcotonck*, *Chawangen*, *Memoraſink*, *Kaccgh*, *Getawan*, *Annuck*, *Gillatawogh*, and all and every of them; and the ſame erected into Manor and Lordſhip, of the Manor *Fletcherdon*, *To have and to Hold* the ſaid Tract of Land and *Manor of Fletcherdon*, with the Appurtenances, unto the ſaid *John Evans*, his Heirs and Aſſigns, for ever, under the Rent reſerved, of *Twenty Shillings, and one fat Buck per Annum*.

A Grant to Capt. *John Evans*, reſerving the yearly Rent of 20 *ſ.* and one fat Buck.

AND whereas there is another extravagant Grant of Land, made in Manner aforeſaid, unto the ſaid *John Evans*, bearing Date the Ninth Day of *Auguſt*, One Thouſand Six Hundred Ninety Four, regiſter'd in the Secretary's-Office, containing a certain Swamp and freſh Pond, called *The Freſh-Water*, and adjacent to the *King's-Farm*, formerly called the *Duke's-Farm*, on the Iſland *Manhattans*, beginning at a Stake ſet in the Ground, on the South Side of the ſaid Pond, and at the North-Eaſt Corner of the Land belonging to *William Merrit*; thence it rangeth along the South Side of the ſaid Swamp and Pond, by the Up-land to the Beach, on the Eaſt Side of *Hudſon's-River*, ſo along the Beach to the Up-land, thence croſſing a ſmall Gut of ſaid Swamp, to the Land on the Eaſt Side thereof; thence by the ſaid Land as it runs, to the Eaſt Side of the Tan-yard, and thence to the Place where it begun: *To have and to hold* the ſaid certain Swamp, and Pond, and Appurtenances, unto the ſaid *John Evans*, his Heirs and Aſſigns, for ever, under the yearly reſerved Rent of *One Pepper Corn*.

Another Grant to the ſaid *Evans*, for the *Freſh Water*.

Reſerving the yearly Rent of one Pepper Corn.

AND whereas there is another *extravagant Grant* of the *King's-Farm*, in Manner aforeſaid, being a Leaſe or Demiſe of the ſaid Farm, unto the Church-Wardens and Veſtry-men of *Trinity-Church*, for ſeven Years from the Date thereof, being the Nineteenth Day of *Auguſt*, One Thouſand Six Hundred Ninety Seven, regiſtred in the *Secretary's-Office: To have and to Hold* the ſaid Farm and Appurtenances, unto the ſaid Church-Wardens and Veſtry-men of *Trinity-Church*, their Succeſſors and Aſſigns, for the Term of Seven Years from the Date hereof, until the ſaid Term of ſeven Years be fully ended under the yearly reſerved Rent, of *Sixty Buſhels of Wheat*.

A Grant to the Church-Wardens and Veſtry-men of *Trinity-Church*, for the *King's Farm* for ſeven Years, reſerving the yearly Rent of 60 Buſhels of Wheat.

AND whereas there is another *extravagant Grant of Land*, out of the *King's Garden*, in Manner aforeſaid, unto Colonel *Caleb Heathcote*, bearing Date the ſecond Day of *April*, One Thouſand Six Hundred Ninety Six, and regiſtred in the Secretary's-Office, containing a certain Lot or Toft of Ground, lying without the Stockadoes of the City of *New-York*, near adjoining to the Locuſt Trees, which were formerly Part of the *King's-Garden*; containing in Breadth Twenty-ſeven Foot, and in Length Fifty Foot, *To have and to Hold* the ſaid Lot

A Grant out of the *King's-Garden*, to Col. *Heathcote*, for the yearly Rent of one Shilling.

11th *William* III. A. D. 1699.

or Toft of Ground, unto him, the ſaid *Caleb Heathcote*, his Heirs and Aſſigns, for ever, under the yearly reſerved Rent, of *One Shilling*.

Another Grant to the ſaid Col. *Heathcote*, out of the *King's-Garden*, for 41 Years.

AND whereas there is another extravagant Grant of Land, out of the ſaid *King's-Garden*, in Manner aforeſaid, and of the Date aforeſaid, unto the ſaid *Caleb Heathcote*, being a Demiſe or Leaſe of another Part of the ſaid *King's-Garden*, for the Term of Forty-one Years, which lies vacant and un-improved; being bounded by the Stockadoes or Fence of the ſaid Garden, ſo far as the ſaid Garden in the Rear does extend, and from the ſaid Fence of Stockadoes, ſo far into *Hudſon's-River* as Low-Water Mark: *To have and to Hold* the ſaid other Part of the ſaid Garden, unto the ſaid *Caleb Heathcote*, his Heirs and Aſſigns, for the ſaid Term of Forty-one Years, under the yearly Rent reſerved, of *Four Shillings*.

Reſerving the yearly Rent of four Shillings.

AND whereas it does appear unto his ſaid Excellency and Council, that all and every of the above-recited ſeveral and reſpective Grants and Demiſes of Land and Premiſſes, to all and every the Perſon and Perſons aforeſaid, their reſpective Heirs, Succeſſors and Aſſigns, are, in Fact and Deed, abſolutely *extravagant Grants*, iſſued by the ſaid Col. *Fletcher*, late Governor of the ſaid Province, under his Majeſty, contrary to, and againſt the Truſt repoſed in him by his ſaid Majeſty, and are *extravagant Grants*, according to the true Intent, Meaning and Conſtruction of their Excellencies the *Lords Juſtices of England*, ſaid Inſtructions; and as ſuch, ought to be *broke*, *vacated*, *annulled*, and *made of none Effect* for ever.

I. **Be it therefore Enacted** *by his Excellency the Governor, and Council, and Repreſentatives convened in General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That all and every the ſeveral and reſpective *extravagant Grants of Lands and Premiſſes*, granted, demiſed and ſealed in Manner aforeſaid, and heretofore recited and mentioned, with all and every their ſeveral and reſpective Limits and Bounds afore-mentioned and expreſſed, are hereby *broke*, *vacated*, and *for ever annulled*, and of none Effect; and all and every the afore-recited *Grants* and *Demiſes*, in Manner aforeſaid, for all and every the ſeveral and reſpective *Tracts and Parcels of Land*, *Farms and Gardens*, *and Appurtenances*, within all and every the ſeveral and reſpective Limits and Bounds aforeſaid; and all the *Lordſhips*, *Manors*, *Juriſdictions*, *Powers*, *Authorities*, *Rights*, *Benefits*, *Profits*, *Advantages*, belonging unto them, or either of them, ſhall for ever hereafter *ceaſe*, *determine*, and become *null* and *void*, and of *none Effect*, to all *Intents*, *Purpoſes* and *Conſtructions* whatſoever, as if no ſuch *Grants*, *Demiſes*, and *Regiſters* of the ſame in the *Secretary's-Office*, had ever been done; and they, the aforeſaid *Grantees*, *Leſſees*, and every of them, their and every of their Heirs, Succeſſors and Aſſigns, are hereby for ever hereafter, diveſted of any Right, Title, or Claim unto the ſame, or unto any Part or Parcel thereof, within the ſeveral and reſpective Limits aforeſaid; any Law to the contrary thereof, in any wiſe notwithſtanding: And his Majeſty is hereby fully and immediately *re-ſeized*, and re-poſſeſſed, of all and every of the before-granted and *demiſed Premiſſes*, in as full and ample Manner, as if the ſame had never been before *granted* and *demiſed*.

The ſaid Grants are vacated and annulled.

And his Majeſty re-ſeized of the Premiſſes.

II. **And be it further Enacted** *by the Authority aforeſaid*, That all and every of the *Grants* and *Demiſes*, for the ſeveral and reſpective Tracts of Lands, Swamps, Farms and Gardens, as aforeſaid, which *are regiſtred in the Secretary's-Office*, ſhall, upon the Publication hereof, be *obliterated*, *razed*, *defaced*, and the Memory or Record of all and every of the aforeſaid Grants, ſhall be reduced into *Oblivion* and *Forgetfulneſs*, as if no ſuch Grants had ever been made, or regiſtred in the ſaid Office; any Thing to the contrary hereof, in any wiſe notwithſtanding.

The Records of the ſaid Grants to be obliterated.

III. AND

11th *William* III. A. D. 1699.

III. AND to the Intent that it may not be in the Power of any of his Majeſty's Governors, or Commanders in Chief for the Time being, hereafter to make, for the Future, ſuch extravagant Grants of Land, as aforeſaid; **Be it further Enacted** *by the Authority aforeſaid*, That it ſhall not be in the Power of any of his Majeſty's Governors, or Commanders in Chief, which ſhall hereafter be Governors, or Commanders in Chief of this Province, under his Majeſty, his Heirs and Succeſſors, for to grant or demiſe for any longer, than for his own Time in the Government, any of the Lands hereafter mentioned; *That is to ſay*, *Nutten-Iſland*, the *King's-Farm*, the *King's-Garden*, the *Swamp*, and *Freſh-Water*, as they are now limited and bounded, being the Demeſns of his Majeſty's Fort at *New-York*, and for the Benefit and Accommodation of his Majeſty's Governors, and Commanders in Chief for the Time being; and if any ſuch Grants, or Demiſes, for the Future ſhall be made, longer than for the Time before mentioned; then all and every of ſuch Grants ſhall, *ipſo Facto*, become null and void, and of no Uſe, to all Intents and Purpoſes whatſoever; any Law, Cuſtom, or Uſage to the contrary hereof, in any wiſe notwithſtanding; ſaving to the City of *New-York*, the Right they have to the *Freſh-Water*, and Lands to Low-Water Mark, behind the *King's-Garden*.

No Governor for the Future to demiſe the Lands mentioned in this Act, for a longer Term than his own Time in the Government.

Or the Grants to be void, *ipſo Facto*; ſaving to the City of *New-York*, its Right to the *Freſh Water*, and Lands to Low-Water Mark.

CHAP. LXXX.

Expired 12th of *May*, 1701. Provided for by Chap. 87.

An ACT *for preventing Soldiers liſted in his Majeſty's Service in this Province of* New-York, *from deſerting his Majeſty's Service.*

Paſs'd the 12th of May, 1699.

CHAP. LXXXI.

Loſt.

An ACT *for granting unto his Majeſty ſeveral Duties, for the defraying the publick Charge of the Government, after the Time limited in an Act, entitled, An Act* confirming and continuing unto their Majeſties, the Revenue eſtabliſhed by an Act of General Aſſembly, for defraying the publick and neceſſary Charges of the Government.

Paſs'd the 15th of May, 1699.

CHAP. LXXXII.

Expired 16th of *May*, 1702.

An ACT *for enabling the City and County of* New-York, *to pay their Debts, and repair the publick Buildings.*

Paſs'd the 16th of May, 1699.

CHAP. LXXXIII.

An ACT *to enable the reſpective Towns within this Province, to build and repair their Meeting-Houſes and other publick Buildings.*

Paſs'd the 16th of May, 1699.

Preamble.

WHEREAS the ſeveral and reſpective Towns within this Province, are at a great Loſs, for Want of publick Buildings for the Worſhip and Service of God, as well as for other neceſſary publick Services; to the End, therefore, that each reſpective Town within this Province, may be enabled to erect publick Buildings for the Worſhip of God, and other publick Services;

I. Be

11th *William* III. A. D. 1699.

I. **Be it Enacted** *by his Excellency, and Council, and Repreſentatives convened in General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the Truſtees of each reſpective Town within this Province, or ſuch other Perſons who ſhall be yearly elected by the major Part of the Freeholders of each reſpective Town within this Province, ſhall be hereby impowered annually, or once a Year, to make a yearly Rate, either for the Erecting of a publick Edifice or Church, for the Worſhip and Service of God, where the ſame is wanting, or for any other publick Buildings, or Town-Houſes, and Goals, for the publick Service of the Town; which Rate ſhall be laid upon all and every the Freeholders, Inhabitants, and Sojourners in each reſpective Town aforeſaid, according to ſuch Manner, and in ſuch Form, as the other publick Rates are eſtabliſhed, for the Defraying the publick Charges of each reſpective County within this Province; and the Aſſeſſors and Collectors of the reſpective Towns aforeſaid, are hereby required to execute their Duties accordingly: And if any Perſon or Perſons within any of the ſaid reſpective Towns, who ſhall be rated, aſſeſſed, as aforeſaid, ſhall refuſe to pay, or contribute their Proportion ſo rated and aſſeſſed; then it ſhall be lawful for the Collector of the ſaid Town where ſuch Refuſal ſhall happen, to levy the ſame by Diſtreſs, upon the Goods and Chattels of them or him ſo offending, by Warrant under the Hand and Seal of the Juſtice of the Peace of the Town where the Offence ſhall be: And all and every the publick Rates hereby eſtabliſhed, ſhall, by the Truſtees, or ſuch other Perſons who ſhall be yearly elected by the major Part of the Freeholders, as aforeſaid, be only employed to the Building and Repairing of the ſaid publick Edifices and Buildings, and to no other Uſe, Purpoſe, or Intent whatſoever; any Thing to the Contrary hereof in any wiſe notwithſtanding.

Truſtees of each Town, to make a yearly Rate, for building a Church, *&c.* where wanting.

Rates to be levied by Diſtreſs, *&c.* by Warrant of a Juſtice.

Which Rates ſhall be imployed for the Building Churches, *&c.*

II. **Provided, and be it Enacted** *by the Authority aforeſaid,* That the Precinct of *Bridge-Hampton*, commonly called *Segaboneck* and *Mecoxe*, within the Town of *Southampton*, ſhall forever hereafter be eſteemed a diſtinct Pariſh from the ſaid Town of *Southampton*, and have and enjoy all the Privileges and Benefits of a diſtinct Pariſh, for the Building and Erecting of a publick Edifice, with its Appurtenances, for the publick Service of God, according to the true Intent and Meaning of this Act; and they are hereby impowered and authorized, to lay Rates upon their reſpective Freeholders, Inhabitants, and Sojourners, within the ſaid Precinct of *Bridge-Hampton*, in as full and ample Manner, as if the ſaid Precinct were a ſeparate and diſtinct Town within this Province; any Thing contained in the Grant of *Southampton*, to the Contrary hereof, in any wiſe notwithſtanding.

Bridge-Hampton, a diſtinct Pariſh from *Southampton*.

The Fifth ASSEMBLY.

SECOND SESSIONS.

12th *William* III. A. D. 1700.

CHAP. LXXXIV.

An ACT *againſt Jeſuits and Popiſh Prieſts.*

Paſs'd the 31ſt of July, 1700.

WHEREAS divers Jeſuits, Prieſts, and Popiſh Miſſionaries, have of late come, and for ſome Time have had their Reſidence in the remote Parts of this Province, and other his Majeſty's adjacent Colonies, who, by their wicked and ſubtle Inſinuations, induſtriouſly labour to debauch, ſeduce, and withdraw the *Indians* from their due Obedience unto his moſt ſacred Majeſty, and to excite and ſtir them up to Sedition, Rebellion, and open Hoſtility againſt his Majeſty's Government: For Prevention whereof,

Preamble.

12th *William* III. A. D. 1700.

I. **Be it Enacted** *by his Excellency the Governor, Council, and Repreſentatives convened in General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That all and every Jeſuit and Seminary Prieſt, Miſſionary, or other Spiritual or Eccleſiaſtical Perſon, made, or ordained by any Authority, Power, or Juriſdiction, derived, challenged, or pretended from the Pope or See of *Rome*, now reſiding within this Province, or any Part thereof, ſhall depart from, and out of the ſame, at or before the firſt Day of *November* next, in this preſent Year Seventeen Hundred.

Jeſuits and Popiſh Prieſts to depart the Province.

II. **And be it further Enacted** *by the Authority aforeſaid,* That all and every Jeſuit, Seminary Prieſt, Miſſionary, or other Spiritual or Eccleſiaſtical Perſon, made or ordained by any Authority, Power, or Juriſdiction, derived, challenged, or pretended from the Pope or See of *Rome*, or that ſhall profeſs himſelf, or otherwiſe appear to be ſuch, by Preaching, and Teaching of others to ſay any Popiſh Prayers, by celebrating Maſſes, granting of Abſolutions, or uſing any other of the Romiſh Ceremonies and Rites of Worſhip, by what Name, Title or Degree ſoever ſuch Perſon ſhall be called or known, who ſhall continue, abide, remain, or come into this Province, or any Part thereof, after the firſt Day of *November* aforeſaid, ſhall be deemed and accounted an Incendiary and Diſturber of the publick Peace and Safety, and an Enemy to the true Chriſtian Religion, and ſhall be adjudged to ſuffer perpetual Impriſonment; and if any Perſon, being ſo ſentenced, and actually impriſoned, ſhall break Priſon, and make his Eſcape, and be afterwards retaken, he ſhall ſuffer ſuch Pains of Death, Penalties, and Forfeitures, as in Caſes of Felony.

Jeſuits and Popiſh Prieſts, profeſſing themſelves to be, or acting as ſuch, continuing in the Province after 1ſt *November* 1700, to ſuffer perpetual Impriſonment;

If they break Priſon, to ſuffer Death.

III. **And it is further Enacted** *by the Authority aforeſaid,* That every Perſon that ſhall wittingly and willingly receive, harbour, conceal, aid, ſuccour, and relieve any Jeſuit, Prieſt, Miſſionary, or other Eccleſiaſtical Perſon, of the *Romiſh* Clergy, knowing him to be ſuch, and be thereof lawfully convicted before any of his Majeſty's Courts of Record within this Province; which Courts are hereby impowered and authorized, to hear, try, and determine the ſame; he ſhall forfeit the Sum of Two Hundred Pounds, current Money of this Province; one Half to his Majeſty, for and towards the Support of the Government, and the other Half to the Informer, who ſhall ſue for the ſame in any Court of Record within this Province, wherein no Eſſoign, Protection or Wager in Law ſhall be allowed; and ſuch Perſon ſhall be further puniſhed by being ſet in the Pillory on three ſeveral Days, and alſo be bound to the good Behaviour at the Diſcretion of the Court.

Thoſe that receive them, knowing them to be ſuch, to forfeit £. 200, to be ſet in the Pillory and bound to the good Behaviour.

IV. **And be it further Enacted** *by the Authority aforeſaid,* That it ſhall and may be lawful to and for every Juſtice of the Peace, to cauſe any Perſon or Perſons ſuſpected of being a Jeſuit, Seminary Prieſt, or of the *Romiſh* Clergy, to be apprehended, and convented before himſelf, and ſome other of his Majeſty's Juſtices; and if ſuch Perſon do not give a ſatisfactory Account of himſelf, he ſhall be committed to Priſon, in order to a Tryal. Alſo, it ſhall and may be lawful, to and for any Perſon or Perſons to apprehend, without Warrant, any Jeſuit, Seminary Prieſt, or other of the *Romiſh* Clergy, as aforeſaid, and to convent him before the Governor, or any Two of the Council, to be examined and impriſoned, in order to a Tryal, unleſs he give a ſatisfactory Account of himſelf. And as it will be eſteemed and accepted, as a good Service done for the King, by the Perſon who ſhall ſeize and apprehend any Jeſuit, Prieſt, Miſſonary, or *Romiſh* Eccleſiaſtick, as aforeſaid; ſo the Governor of this Province for the Time being, with the Advice and Conſent of the Council may ſuitably Reward him as they think fit.

Juſtices to convene Prieſts before them.

Any Perſon without Warrant, may bring them before the Governor, or two of the Council;

For which they ſhall be rewarded.

V. **Provided**

12th *William* III. A. D. 1700.

V. **Provided**, This Act ſhall not extend, or be conſtrued to extend unto any of the *Romiſh* Clergy, who ſhall happen to be Shipwreck'd, or through other Adverſity ſhall be caſt on Shore, or driven into this Province, ſo as he continue or abide no longer within the ſame, than until he may have Opportunity of Paſſage for his Departure; ſo alſo as ſuch Perſon, immediately upon his Arrival, ſhall forthwith attend the Governor, if near to the Place of his Reſidence, or otherwiſe, on One or more of the Council, or next Juſtice of the Peace, and acquaint them with his Circumſtances, and obſerve the Directions which they ſhall give him, during his Stay in the Province.

Thoſe driven here by Shipwreck, exempted, but to abide no longer than till an Opportunity offers, and to attend the Governor, &c. on their Arrival.

CHAP LXXXV.

An ACT *for appointing and enabling Commiſſioners to examine, take and ſtate the publick Accounts of this Province.*

Continued Ch. 111.

Paſs'd the 8th of Auguſt, 1700.

CHAP. LXXXVI.

An ACT *for the better Securing the Five Nations of Indians in their Fidelity to his Majeſty*, viz. *by raiſing One Thouſand Pounds, to build a Fort at* Onondago.

Repealed Ch. 91.

Paſs'd the 8th of Auguſt, 1700.

The Fifth ASSEMBLY.

THIRD SESSIONS.

CHAP. LXXXVII.

An ACT *for puniſhing Officers and Soldiers who ſhall mutiny or deſert his Majeſty's Service, and to prevent their being harboured and concealed by the Inhabitants of this Province; and to encourage the ſeizing and ſecuring ſuch as ſhall deſert his Majeſty's Service for the Future.*

Expired 27th of *October*, 1703.

Paſs'd the 27th of October, 1700.

CHAP. LXXXVIII.

An ACT *for the Encouraging of Seamen.*

Expired 29th of *October*, 1705. Revived Ch. 197.

Paſs'd the 29th of October, 1700.

CHAP. LXXXIX.

An ACT *for the Encouraging the Brewing of Beer, and making Malt, within this Province.*

Expired 29th of *October*, 1705.

Paſs'd the 29th of October, 1700.

CHAP.

12th *William* III. A. D. 1700.

CHAP. XC.

An ACT *for declaring the Town of* East-Cheſter, *in the County of* Weſt-Cheſter, *a diſtinct Pariſh from the Town of* Weſt-Cheſter, *in the County aforeſaid.*

Paſs'd the 29th of October, 1700.

Preamble.

WHEREAS by an Act of the General Aſſembly of this Province, entitled, *An* ‖ Act *for ſettling a Miniſtry, and raiſing a Maintenance for them, in the City of* New-York, *County of* Richmond, Weſt-Cheſter, *and Queens County*, it is amongſt other Things declared and enacted, That the Towns of *Weſt-Cheſter*, *Eaſt-Cheſter*, *Lower Yonkers*, the Manor of *Pelham*, in the County of *Weſt-Cheſter*, ſhould be a Pariſh together, for the better maintaining of a good and ſufficient Proteſtant Miniſter: And Whereas, ſince the making of ſaid Act, it has been found inconvenient, and to the great Diſcouragement of Religion and the publick Worſhip of God, for the Inhabitants of *Eaſt-Cheſter* to travel to *Weſt-Cheſter* aforeſaid, to be preſent at the Preaching of the Word of God; Wherefore the ſaid Inhabitants and Freeholders of the Town of *Eaſt-Cheſter* aforeſaid, have, by their humble Petition to the Houſe of Repreſentatives, now convened in General Aſſembly, moſt humbly prayed, that it might be declared and enacted;

‖ See Ch. 36.

Eaſtcheſter to be a diſtinct Pariſh from *Weſtcheſter*, *Lower Yonkers*, and the Manor of *Pelham*.

See Ch. 36.

I. **And be it Declared and Enacted** *by his Excellency the Governor, and Council, and Repreſentatives now convened in General Aſſembly, and by the Authority of the ſame*, That the ſaid Town of *Eaſt-Cheſter*, in the County of *Weſt-Cheſter*, be from henceforth, and forever hereafter, ſeparated from the Pariſh of *Weſt-Cheſter*, *Eaſt-Cheſter*, *Lower Yonkers*, and the Manor of *Pelham*, to all Intents, Conſtructions and Purpoſes whatſoever; the ſaid Act, entitled, *An* Act *for ſettling the Miniſtry, and raiſing a Maintenance for them, in the City of* New-York, *County of* Richmond, Weſt-Cheſter, *and Queens County*, or any other Act to the Contrary hereof in any ways notwithſtanding.

By the Name and Stile of the Pariſh of *Eaſtcheſter*, in the County of *Weſtcheſter*.

Provided, the Inhabitants maintain an *Orthodox* Proteſtant Miniſter.

II. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Town of *Eaſt-Cheſter*, in the County of *Weſt-Cheſter*, be, and is hereby declared to be, and remain forever, a diſtinct Pariſh, from the Pariſh of *Weſt-Cheſter*, *Eaſt-Cheſter*, *Lower Yonkers*, and the Manor of *Pelham*, by the Name and Stile of, the Pariſh of *Eaſt-Cheſter*, in the County of *Weſt-Cheſter*: Provided, That the Freeholders and Inhabitants thereof do maintain a good orthodox Proteſtant Miniſter, in the ſaid Town of *Eaſt-Cheſter*; any Law, Uſage or Cuſtom, to the Contrary hereof in any ways notwithſtanding.

CHAP. XCI.

See Ch. 86.

An ACT *for Repealing an Act of Aſſembly, entitled*, An *Act* for the ſecuring the Five Nations of Indians in their Fidelity to his Majeſty, *&c.* and for building a Fort at *Onondago*. Paſs'd the 1ſt of November, 1700.

[ ]

The Fifth ASSEMBLY.

FOURTH SESSIONS.

13th *William* III. A. D. 1701.

JOHN NANFAN, Eſq; Commander in Chief.

Part expired *in* 3 *Years, and the Remainder relating to the Ferriage Fees*, provided *for, by* Ch. 593.

CHAP. XCII.

An ACT *for Encouraging the City of* New-York.

Paſs'd the 18th of October, 1701.

CHAP.

13th *William* III. A. D. 1701.

CHAP. XCIII.

An ACT *for Regulating the Fences in the County of* Ulster.

Pass'd the 18th of October, 1701.

Preamble.

WHEREAS in the County of *Ulster*, the Inhabitants there are accustomed to make circular Fences, for the surrounding of their Land which they manure, by which Means great Quantities of Lands, are surrounded with the said circular Fence; and those who are in the Middle of the said Lands, have their Fields secured by the said Fence, yet have not contributed, nor will contribute their Proportion of the Charge of the said Fences: That the same may be remedied for the future;

The Owners of Lands in *Ulster*, within a circular Fence, to pay their Proportions of making it.

I. **Be it Enacted** *by his Honour the Lieutenant Governor, and Council, and Representatives convened in General Assembly, and by the Authority of the same*, That as to all Lands within the said County of *Ulster*, which now are, or hereafter shall be surrounded with a circular Fence, the Owners or Possessors thereof, shall, in Proportion to the Quantities of Land they have within the said Fence, pay and contribute to the Making of the said Fence; and if any Person or Persons, having any Lands, as aforesaid, within the said Fence, will not contribute and pay his Proportion, as aforesaid, of the said circular Fence;

If any refuse it, it shall be assessed by a Justice,

then it shall be lawful for any Justice of the Peace of the said County, residing near where such Default shall happen, upon View of such Defect, to assess and levy the Proportion of the said Fence, as aforesaid, by Warrant under his Hand and Seal, directed to the Constable of the Precinct where such Default shall happen, upon the Goods and Chattels of him or them who shall have Land within the said circular Fence, and shall not, or will not contribute to the same;

And levied by a Constable, by Distress and Sale, *&c.*

and that the same be employed for the Making of the said Fence, returning the Overplus, if any there be, to the Owner or Owners of such Land, the Sum assessed, and Charges of Distress and Sale, being first deducted;

Surplus to be returned.

any Act to the Contrary hereof, in any ways notwithstanding.

CHAP. XCIV.

An ACT *for the more regular Proceedings in the Election of Representatives, for the several Cities and Counties in this Province.*

Pass'd the 18th of October, 1701.

Preamble.

WHEREAS the Election and Return of Representatives, for the several Cities and Counties of this Province, to come to the Assembly of our Lord the King, in this Province, have been often heretofore managed with great Fraud and Deceit, to the grievous Damage of the Subject; for the preventing of which for Time to come; a good and wholsom Law was enacted by the General Assembly of this Province, in the Eleventh Year of His Majesty's Reign, intitled, †*An Act for the Regulating Elections of Representatives in General Assembly, in each respective City and County within this Province*; yet nevertheless many and great Abuses are still continued to be put upon the Subjects in their Election, as aforesaid: For the Preventing whereof,

† *See that Act*, Ch. 74, *tho' the Titles are not exactly similar: This Inaccuracy is visible in the Title and Preamble of* Ch. 96, *and in several other Instances.*

13th *William* III. A. D. 1701.

No Papiſt, or any other Perſon refuſing the State Oaths, to vote for Repreſentatives in Aſſembly; or for any other Offices.

I. **Be it Enacted** *by his Honour the Lieutenant Governor, and Council, and Repreſentatives now in General Aſſembly convened, and it is hereby Enacted by the Authority aforeſaid,* That from henceforth, and for ever hereafter, no Papiſt or Popiſh Recuſant, or ſuch Perſon or Perſons as ſhall refuſe, upon the Tender and Demand of the Sheriff, or either of the Candidates, to take the Oaths appointed by Law, to be taken inſtead of the Oaths of Allegiance and Supremacy, and to ſign the *Teſt* and *Aſſociation*, as directed by Law in other Caſes, ſhall be ſuffered to give his, or their Vote or Votes for any Repreſentative or Repretatives, to ſerve in this or any future General Aſſembly within this Province, or for any other Office or Offices whatſoever.

An Eſtate in the Elector for Life, or during his Wife's Life, &c. ſhall qualify him to vote.

II. And whereas Doubts have ariſen, whether a Perſon having an Eſtate of Freehold in Poſſeſſion for his Life, or for the Life of his Wife, ſhould be allowed to Vote for the ſame, **Be it Enacted** *by the Authority aforeſaid,* That all, and every Perſon and Perſons not excepted by this Act, having in his, or their Poſſeſſion, an Eſtate of Freehold, during his Life, or for and during the Life of his Wife, to the Value or Quantity in the above recited Act expreſſed, ſhall be, and is hereby qualified to give his, and their Vote and Votes for Repreſentatives, as aforeſaid; provided he be further qualified, as in the aforeſaid Act, and this preſent Act, is expreſſed.

Mortgagor in Poſſeſſion, and receiving the Profits may vote.

III. And whereas a Queſtion hath ariſen, whether any Perſon or Perſons, having mortgaged his or their Lands, and being in Poſſeſſion thereof, and receiving the Income thereof, ſhould not by Reaſon of ſuch Mortgage, be debarred from giving his Vote, as aforeſaid, **Be it therefore Enacted**, That ſuch Mortgage ſhall not debar the Party aboveſaid from the Giving of his Vote, provided he be in Poſſeſſion thereof, or receive the Incomes of the ſame.

Dutcheſs annexed to *Ulſter*, and the Inhabitants of *Dutcheſs* impowered to vote for Repreſentatives in *Ulſter*.

IV. **And be it further Enacted** *by the Authority aforeſaid,* That to prevent all Diſputes relating to the Free-holders in *Dutcheſs-County*, about the Election of Repreſentatives, as aforeſaid, the ſaid County be, and is hereby declared to be annexed to the County of *Ulſter*, for the Term of Seven Years next after this preſent Seſſion; and that the Free-holders of *Dutcheſs-County*, qualified by Law, ſhall and are hereby impowered to give their Votes for Repreſentatives in the County of *Ulſter*, as if they actually lived in the ſaid County; any Thing to the contrary hereof in any wiſe notwithſtanding.

The laſt Section of this Act, is repealed *by* Chap. 202.

CHAP. XCV.

The Act referred to, is Chap. 5. *But that Act, and this, were* repealed *by* Chap. 114.

An ACT *for ſupplying the Defects of a late* Act, *entituled,* An *Act* for ſettling the Militia.

Paſs'd the 18th of October, 1701.

CHAP

CHAP. XCVI.

13th *William* III. A. D. 1701.

An ACT *repealing an Act of General Assembly of this Province, Entituled,* An *Act* for defraying the publick and necessary Charges throughout this Province, for maintaining the Poor and preventing Vagabonds; *except so much thereof as relates to Vagabonds; and for the appointing more effectual Means for the defraying the publick and necessary Charge in each City and County, and for maintaining the Poor.*

The Act repealed, *is* Chap. 6.

Pass'd the 18th of October, 1701.

WHEREAS there is an Act of General Assembly of this Province, made in the Year of our Lord, sixteen Hundred and ninety one, entituled, *An Act for defraying the publick and necessary Charge throughout this Province, for maintaining the Poor, and preventing of Vagabonds*; which said Act, hath been by Experience found to be very inconvenient and burthensom to the Inhabitants of this Province, and hath occasioned many Heats, Animosities, Strifes, and Debates, and other Differences; all which being considered, the Representatives now in General Assembly convened, do most humbly pray, that it may be declared and enacted;

Preamble.

I. **And it is hereby Declared and Enacted** *by his Honour the Lieutenant Governor, and Council, and Representatives in this General Assembly convened, and by the Authority of the same,* That the said before-mentioned Act of Assembly, and every Article and Clause therein contained, except so much thereof as relates to Vagabonds, be and is hereby repealed, reversed, made and declared null and void, to all Intents, Constructions and Purposes whatsoever, as if the said Act had never been made and enacted.

Repeal of the *Act for maintaining the Poor*, &c.

II. To the End nevertheless, that the publick and necessary Charge in each City and County may be duly defrayed, the Poor maintained, and Vagabonds and People of ill Behaviour discountenanced; **Be it Declared and Enacted** *by his Honour the Lieutenant Governor, and Council, and Representatives now in General Assembly convened, and it is hereby Enacted by the Authority aforesaid,* That the Justices of the Peace, of the respective Counties of this Province, or any Five or more of them, Two whereof to be of the *Quorum*, shall once in the Year, at a Court of General or Special Sessions, supervise, examine, and allow the publick and necessary Charge of their respective County, and of every Town thereof; Part of which the Allowance made by Law, to their Representative or Representatives, shall be deem'd and accounted to be; and upon Examination and Allowance of the said Acts, they, or the major Part of them, as aforesaid, are hereby impowered to issue their Warrant to the several Towns in said County, under their Hands and Seals, or the Hands and Seals of the major Part of them, for the chusing and electing of Two Assessors, and One Collector, in each of their Towns or County, for the assessing and collecting of the Sum and Sums of Money, so allowed by the Justices aforesaid; and if any Justice of the Peace shall neglect or refuse to put this Act in Execution, he shall forfeit *Fifty Pounds*: And if any Town or Towns shall refuse, neglect, or delay to chuse Assessors and Collectors, as aforesaid, at such Times as by the said Justices shall be appointed; such Town shall forfeit the Sum of *Twenty Pounds* to his Majesty; all such Sums to be recovered in the Supreme Court of Judicature in this Province, where no Essoign, Protection, Wager of Law, or any more than one Imparlance shall be allowed: And if the said Assessors, shall refuse and neglect to assess and rate in Twelve Days after the said Warrant, and

Justices of the Peace, or any five of them, &c. once a Year, at the Sessions, to supervise County Charge, &c.

And issue Warrants for chusing Assessors and a Collector, under the Penalty of £. 50.

If the Town do not chuse Assessors &c. to forfeit £. 20.

13th *William* III. A. D. 1701.

Aſſeſſors for neglect of Duty, to forfeit £. 10. and be impriſoned three Months, and others to be appointed in their Stead.

and the Collector to collect and levy, within one and Twenty Days after Aſſeſſment, the Sum or Sums of Money ordered and allowed as aforeſaid; every Perſon ſo neglecting or refuſing, ſhall forfeit the Sum of Ten Pounds, current Money of this Province, to the County or Town where the ſame Refuſal or Neglect ſhall happen; to be recovered in the reſpective Court or Courts of Seſſions, in the County or Counties aforeſaid, and ſhall be alſo impriſoned, without Bail or Mainprize, for three Months, by the Court aforeſaid; and in ſuch Caſe, the Juſtices aforeſaid, are hereby fully impowered, at ſuch Time as they ſhall think fit, to appoint others in the Rooms of ſuch Aſſeſſors or Collectors, as aforeſaid.

Juſtices to appoint a Treaſurer, who ſhall pay off the County Charge.

III. **And be it further Enacted** *by the Authority aforeſaid*, That the Juſtices aboveſaid, are hereby impowered, once in every Year, to appoint and elect a Treaſurer, for their reſpective County or Counties; which Treaſurer ſhall make ſuch Payments for the Defraying the neceſſary Charges of each reſpective County, as ſhall be appointed and allowed by the Juſtices aforeſaid.

Collector to levy the Aſſeſſment by Diſtreſs and Sale.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That it ſhall and may be lawful for every Collector choſen, as aforeſaid, by Warrant under the Hand and Seal of any two or more Juſtices of the Peace of each reſpective County, to collect and levy, by Diſtreſs on the Goods and Chattels of all or any Perſons refuſing or neglecting to pay the Sum or Sums of Money ſo aſſeſſed on them, returning the Overplus to the Owner, the Charges of Diſtreſs and Sale firſt deducted; which Charge is to be allowed before any two Juſtices of the Peace, one whereof to be of the *Quorum*, of ſuch County or Counties, as aforeſaid.

Treaſurer to keep a Book of Accounts, & once a Year bring it to the Seſſions, which the Court ſhall audit, under the Penalty of £. 100.

V. **And be it further Enacted** *by the Authority aforeſaid*, That the Treaſurer of each reſpective County within this Province, ſhall keep a diſtinct Book of Accounts, containing a particular Account of all the Money, Rates and Aſſeſſments aforeſaid, and alſo of all Diſburſements and Payments, by Warrant aforeſaid; and once every Year, he ſhall bring in his Accounts to the Court of Seſſions aforeſaid, to have the ſame audited; which ſaid Court, is hereby impowered in each County, to audit the ſame, under the Penalty of *One Hundred Pounds*, to be forfeited by the ſaid Treaſurer, to our Lord the King, in Caſe of his Neglect to bring the ſaid Account before the ſaid Juſtices; to be recovered in the Supreme Court of Judicature.

Juſtices to make Proviſion for the Poor once a Year.

VI. **And be it further Enacted:** Whereas it is the Cuſtom and Practice of his Majeſty's Realm of *England*, and all our adjacent Colonies in *America*, that every reſpective Town and Pariſh, doth take Care and provide for the Poor who do inhabit in their reſpective Precincts, as aforeſaid; that for the Time to come, the Juſtices aforeſaid, at their reſpective General Seſſions, do, once in the Year, make Proviſion for the Maintenance and Support of their Poor reſpectively.

Payment to be made to the Repreſentatives,

VII. And whereas ſeveral of the Cities and Counties of this Province, have not taken Care for the Payment of the Repreſentatives, before the firſt Day of this Inſtant Seſſions of the General Aſſembly of this Province; **Be it therefore Enacted**, That the reſpective Officers concerned in this Act, for the Defraying the Publick Charge of each reſpective City and County, do, and ſhall, on or before the Day of next, according to the Directions of this Act, cauſe due Payment to be made to the ſaid Repreſentatives, after ſuch Rates and Allowances as were made by an Act of Aſſembly of this Province, in the Year of our Lord, One Thouſand Six Hundred Ninety-one, intitled, *An Act for Allowance to the Repreſentatives*; any Thing to the Contrary hereof, in any ways notwithſtanding.

According to the Allowances in Chap. 7.

VIII. **Provided,**

13th *William* III. A. D. 1701.

VIII. **Provided**, That no Money be demanded for Service in General Assembly, by any Person, before the Year of our Lord One Thousand Six Hundred Ninety-eight.

But not for Services before the Year 1698.

IX. And whereas the City of *New-York* and *Albany*, by their several Charters, differ in the Ways and Means for the defraying their publick Charge, and maintaining their Poor, from the several Counties within this Province; **Be it therefore Declared and Enacted** *by the Authority aforesaid*, That the Common-Councils of the said Cities respectively, are hereby authorised to follow their former Method concerning the Premisses; and that they be hereby impowered, upon want of Money in their Treasury, to raise and levy upon the Inhabitants of their said Cities respectively, such Sum and Sums of Money, as shall unto them appear sufficient to pay their respective Representatives, Bellmen, or Watchmen, or such other necessary and publick Charge, as shall be yearly, and every Year, requisite and necessary; any Thing in these Presents contained to the contrary thereof, in any ways notwithstanding. *Provided*, That no City or County, shall raise above *Three Hundred Pounds per Annum*, for their publick Charge.

Corporations of *New-York* and *Albany*, to proceed in their former Methods; And impowered to levy Money for their respective publick Charges; But not to levy more than £. 300 *per Annum*.

CHAP. XCVII.

An ACT *for Confirmation of a certain Agreement made by* Thomas Swartwout *and Company, of the one Part, and* Gerrit Aertsen *and Company, of the other Part.*

Private.

Pass'd the 18th of October, 1701.

CHH P. XCVIII.

An ACT *to oblige* Robert Livingston, *Esq; to account according to the Purport of an Act, entitled,* An ‖ *Act* for appointing and enabling Commissioners to take and state the publick Accounts of the Province.

Repealed by Chap. 203.
‖ Chap. 85.

Pass'd the 18th of October, 1701.

CHAP. XCIX.

An ACT *for Allowance to the Representatives.*

Pass'd the 18th of October, 1701.

Preamble.

WHEREAS the several Representatives of the People of this Province, cannot officiate and discharge that honourable and great Trust reposed in them, without being at Charge and Expence;

I. **Be it Enacted** *by his Honour the Lieutenant Governor, and Council, and Representatives convened in General Assembly, and it is hereby Enacted by the Authority aforesaid*, That the Wages or Allowance to each Representative of the People, from the first Day of this Sessions, and for ever hereafter, shall be *Six Shillings*, current Money of this Province, *per Diem*, to commence from their Coming out, till their Return home: *Always Provided*, It shall not exceed eight Days after their Adjourning, Proroguing, or Dissolving the same.

Wages of Representatives, 6*s. per Diem.*

II. **And be it further Enacted** *by the Authority aforesaid*, That each respective City and County throughout this Province, shall bear and defray the Charge of their own Representatives; which Charge or Allowance, as aforesaid, shall be paid to the respective Representatives, by the Treasurer of each respective City and County, by Warrant under the Hand and Seal of the Mayor of the respective Cities for the Time being, and by Warrant of any two Justices of the Peace, to the Treasurer of the respective Counties, after the Return of the said Representatives from the Assembly, within ten Days after

Every City and County to pay their own Representatives; to be paid by the Treasurer by Warrant, after Return of Representatives, and a Collection as directed in Chap. 96.

13th *William* III. A. D. 1701.

the Collecting of the publick and neceſſary Charge of each reſpective City and County, as is directed in an Act paſſed this preſent Seſſions, entitled, *An* Act *for repealing an Act of Aſſembly of this Province, entitled,* An *Act* for defraying the publick and neceſſary Charge throughout this Province, for maintaining the Poor, and preventing Vagabonds; *and for the appointing more effectual Means for defraying the publick and neceſſary Charge in each City and County, and for maintaining the Poor, and preventing Vagabonds*; in ſuch Way and Manner as the publick and neceſſary Charge of each City and County in this Province, is defrayed and raiſed.

Repeal of Ch. 7.

III. **And be it further Enacted** *by the Authority aforeſaid,* That the Act of Aſſembly made in the Year of our Lord One Thouſand Six Hundred Ninety-one, entitled, *An* Act *for Allowance to the Repreſentatives*, be, and is hereby repealed, vacated, and made null, as if ſuch Act had never been made.

Yet old Arrears to be paid purſuant to that Act.

IV. **Provided always, and be it further Enacted,** That all and every Perſon or Perſons, that have any Money due from any City or County in this Province, for Service as a Repreſentative, ſhall be paid ſuch Sum as in the above recited Act hereby repealed, is directed; and that the ſame be paid in ſuch Way and Manner as all other publick Charges of the reſpective Cities and Counties are defrayed, by ſuch Laws as now are, or hereafter ſhall be eſtabliſhed within this Province; any Thing to the contrary hereof in theſe Preſents contained, in any ways notwithſtanding. *Provided,* That Nothing be demanded for ſuch Service, before the Year of our Lord One Thouſand Six Hundred and Ninety-eight; any Law, Uſage or Cuſtom to the contrary hereof, in any ways notwithſtanding.

But not for any Services before the Year 1698.

CHAP. C.

Expired 18th of *October*, 1703.

An ACT *for granting an additional Duty to his Majeſty.*

Paſs'd the 18th of October, 1701.

CHAP. CI.

Obſolete; *and provided for by* Chap. 753.

An ACT *for ſettling and amending the High-ways and Roads in the County of* Ulſter.

Paſs'd the 18th of October, 1701.

CHAP. CII.

Repealed Ch. 113.

An ACT *for the Deſtroying of Wolves in the County of* Ulſter *and* Weſtcheſter.

Paſs'd the 18th of October, 1701.

CHAP. CIII.

An ACT *to oblige the Owners and Poſſeſſors of un-improved Lands in the County of* Albany, Weſtcheſter, Richmond *and* Orange, *to pay the Proportion of their Quit-Rents and Taxes, raiſed for the Support of the Government, and other County Charges.*

Paſs'd the 18th of October, 1701.

Preamble.

WHEREAS ſeveral Perſons within the County of *Albany*, *Weſtcheſter* and *Richmond*, have great Quantities of vacant and un-improved Lands, for which they have not, for many Years laſt paſt, paid, and even refuſe to pay their Proportions of the Quit-Rents and Taxes raiſed for the Support of the Government, and other Rates and Charges, to the grievous Damage of the Reſt of the Inhabitants in the Counties aforeſaid, under a Pretence that the

ſaid

13th *William* III. A. D. 1701.

ſaid Lands lay vacant and un-improved, and that they had no Benefit by them, or Income from them: And whereas many of the Owners of the ſaid Lands, do not inhabit within the ſaid Counties, and have no Goods and Chattels within the ſame, to levy and diſtrain upon, their Proportion of the ſaid Quit-Rents, Taxes raiſed for the Support of the Government, and other Rates and Charges;

I. **Be it Enacted** *by his Honour the Lieutenant Governor, and Council, and Repreſentatives now in General Aſſembly convened, and it is hereby Enacted by the Authority of the ſame,* That all and every Perſon owning ſuch vacant and un-improved Lands within the Counties aforeſaid, who do not take Care to pay their Proportion of their Quit-Rents, and of Taxes, now, or hereafter to be raiſed for the Support of the Government, and other Rates and Charges, within ſuch Time as the Law ſhall and doth direct; that then, and in ſuch Caſe, it ſhall and may be lawful, for the Inhabitants of ſaid Counties reſpectively, to enter upon the ſaid Lands, not being incloſed, and therein to cut Wood and Timber, for their own Uſe and Uſes, without being therefore ſued, troubled, or moleſted, in the ſame Manner, as if the ſaid Lands were in common, and un-appropriated; any Law, Uſage or Cuſtom to the contrary hereof, in any wiſe notwithſtanding.

Owners of un-improved Lands in *Albany*, *Weſtcheſter* and *Richmond*, not paying Quit-rents, *&c.* liable to have the Wood, *&c.* of ſuch Lands uninclоſed, cut down, without being ſued.

II. **Provided alſo**, That if any Perſon or Perſons, having Lands, as aforeſaid, in the County of *Orange*, ſhall refuſe to pay his, her, or their Proportion, as aforeſaid; the Juſtices of the Peace of the ſaid County, or any of them, or ſuch Perſon or Perſons as ſhall be employed by them, is, and are hereby impowered to ſue the Perſon or Perſons, ſo refuſing and neglecting, in the Counties where they do live, as in an Action of Debt; and the ſeveral Judges, Juſtices, and Courts, are hereby authoriſed and commanded, to hear and determine ſuch Suit; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

Owners of ſuch Lands in *Orange*, ſo refuſing to pay, *&c.* to be ſued by the Juſtices of the Peace.

CHAP. CIV.

An ACT *for the ſpeedy Repairing the Forts of* Albany *and* Schenectady. Paſs'd the 18th of October, 1701.

Obſolete.

CHAP. CV.

An ACT *for out-lawing* Philip French *and* Thomas Wenham, *Merchants, and enforcing Proceſs of Outlawry.* Paſs'd the 12th of April, 1702.

1ſt *ANNE*, A. D. 1702.

Repealed by Queen *Anne*, 31ſt *December*, 1702.

CHAP. CVI.

An ACT *for augmenting the Numbers of the Repreſentatives of this Province, to ſerve in General Aſſembly.* Paſs'd the 1ſt of May, 1702.

Repealed by Queen *Anne*, 31ſt *December*, 1702.

CHAP. CVII.

An ACT *for paying the Debts of the Government, made in the Time of the late happy Revolution.* Paſs'd the 1ſt of May, 1702.

Repealed by Queen *Anne*, 31ſt *December*, 1702.

CHAP. CVIII.

An ACT *for continuing the Revenue eſtabliſhed by Law, unto his Majeſty, for two Years longer.* Paſs'd 1ſt of May, 1702.

Repealed by Queen *Anne*, 31ſt *December*, 1702.

CHAP.

1ſt *ANNE*, A. D. 1702.

CHAP. CIX.

Repealed by Queen *Anne*, 31ſt *December*, 1702.

An ACT *for the better Regulating the Elections of Truſtees and Magiſtrates, for the Town of* Kingſton, *in the County of* Ulſter.

Paſs'd the 1ſt of May, 1702.

CHAP. CX.

Repealed by Queen *Anne*, 31ſt *December*, 1702.

An ACT *for declaring, confirming and explaining, the Liberties of the City of* New-York, *relating to the Electing of their Magiſtrates.*

Paſs'd the 1ſt of May, 1702.

CHAP. CXI.

See Ch. 85. *Expir'd firſt Day of firſt Seſſions, after firſt of* May, 1703. *Defects in this Act firſt ſupplied by* Chap. 133.

An ACT *for continuing the Commiſſioners of Accounts one Year longer.*

Paſs'd the 1ſt of May, 1702.

The Sixth ASSEMBLY.

FIRST SESSIONS.

EDWARD Lord CORNBURY, Governor.

CHAP. CXII.

Obſolete.

An ACT *for levying and collecting the Sum of* One Thouſand Eight Hundred Pounds, *for paying and maintaining One Hundred and Fifty Fuzileers, for five Months, and Thirty Men to be employed as Scouts, Sixty-two Days, for the Defence of the Frontiers.*

Paſs'd the 7th of November, 1702.

CHAP. CXIII.

Præmium altered by Chap. 172.

An ACT *for deſtroying Wolves in this Colony.*

Paſs'd the 10th of November, 1702.

Preamble.

FORASMUCH as by the Neglect of killing Wolves within this Colony, (occaſion'd as well by the Inequality of the Diſtribution, and Smallneſs of the Reward, as the Difficulty in attaining what formerly by the Laws has been allowed) divers of the Inhabitants of the ſame Colony, have ſuffered many grievous Loſſes in their Stocks, both of Sheep and Neat Cattle: For the Prevention of which, and Encouragement of thoſe who ſhall deſtroy Wolves in the ſaid Colony, and that the Breed of Wolves within this Colony, may be wholly rooted out and extinguiſhed;

The ſeveral Rewards provided for Perſons who ſhall kill Wolves, or their Young, in *Suffolk*, *Kings* and *Queens* County.

I. **Be it Enacted** *by his Excellency the Governor, with the Conſent of Her Majeſty's Council, and Aſſembly, for this Colony of* New-York, That from and after the Publication hereof, whatſoever Perſon or Perſons, Chriſtian or Indian, Freeman or Slave, ſhall deſtroy and kill any Wolf or Wolves, or their Whelp or Whelps, in the Counties of *Suffolk*, *Queens* County, and *Kings* County, ſhall have and receive, as a Reward for each Wolf ſo deſtroyed and killed, the Sum of *Three Pounds*, current Money of this Colony; and for every ſuch Whelp under a Year old, ſo deſtroyed and killed, the Sum of *Thirty Shillings*, current Money aforeſaid.

II. In

1ſt *ANNE* A. D. 1702.

II. IN the County of *Weſtcheſter*, *Twenty Shillings* for a grown Wolf, killed by a Chriſtian, and *Ten Shillings* for ſuch a Wolf, killed by an Indian, and half that Sum reſpectively, for a Whelp.

A Proviſion for the like Purpoſe, in *Weſtcheſter* County.

III. IN the County of *Albany*, *Ten Shillings* for a grown Wolf, killed either by Chriſtians or Indians, and half that Sum for a Whelp.

In the County of *Albany*.

IV. IN the County of *Ulſter*, *Twelve Shillings* for a grown Wolf, killed either by Chriſtians or Indians, and half that Sum for a Whelp.

In the County of *Ulſter*.

V. IN the County of *Richmond*, *Thirty Shillings* of like Money, for a grown Wolf, killed by a Chriſtian, and *Fifteen Shillings* for ſuch a Wolf, killed by an Indian, and half that Sum reſpectively for a Whelp; to be paid by the Treaſurer of each reſpective County, where ſuch Wolf or Wolves, Whelp or Whelps, ſhall happen to be deſtroyed and killed.

In the County of *Richmond*.

VI. AND for the more effectual Payment of the ſaid Rewards, **Be it Enacted** *by the Authority aforeſaid*, That whoſoever ſhall kill any Wolf or Wolves, their Whelp or Whelps, in the ſaid Counties, ſhall, with all convenient Speed, bring the Head or Heads of ſuch Wolves, ſo by them deſtroyed, to ſome one of her Majeſty's Juſtices of the Peace of that County wherein the ſame ſhall be killed; who, (upon View thereof, and Examination of the Party and Circumſtances, finding the ſame to agree with Probability and Truth) is hereby required to iſſue forth his Warrant, under his Hand and Seal, directed to the Treaſurer of the reſpective County, where ſuch Wolf or Wolves, Whelp or Whelps, ſhall be killed, for the Payment of ſuch Sum or Sums of Money, to ſuch Perſon or Perſons, who ſhall kill or deſtroy them, as by the ſame Juſtice ſhall be awarded, according to the reſpective Rewards herein before ſpecified; and ſuch Treaſurer is hereby required and commanded, to make due and immediate Payment of the ſame, according to the Contents of ſuch Warrant, and the true Intent and Meaning of this Act.

The Perſons entitled to ſuch Rewards, to apply to a Juſtice of the County; who upon Proof given, ſhall iſſue a Warrant to the Treaſurer, for Payment of ſuch Reward; who ſhall immediately pay the ſame.

VII. **And be it further Enacted** *by the Authority aforeſaid*, That the Aſſeſſors and Collectors, for the Aſſeſſing and Collecting the Sum and Sums of Money, for the Defraying the publick and neceſſary Charge, in the ſeveral Counties aforeſaid reſpectively; ſhall yearly, and every Year, aſſeſs the Inhabitants of their reſpective Counties, for the Payment of the Rewards aforeſaid; and that ſuch their Aſſeſſments, be collected and paid unto the reſpective Treaſurers of the ſaid Counties; and that the Superviſors, or ſuch others as now are, or at any Time hereafter, ſhall be appointed and authoriſed to ſuperviſe, audit, or allow of the Accounts and Payments of the reſpective Treaſurers; ſhall allow and diſcharge ſuch Treaſurers, upon their Accounts, for all their Payments made purſuant to ſuch Warrant or Warrants, as is above ſet forth; any Law, Cuſtom, or Ordinance, to the contrary hereof, in any wiſe notwithſtanding.

The Aſſeſſors and Collectors in the ſeveral Counties, ſhall yearly aſſeſs the Inhabitants for Payment thereof: Such Aſſeſſment to be paid to the Treaſurer.

Superviſors to be appointed, who ſhall audit the Treaſurer's Accounts, of ſuch Payments made by them, and diſcharge the ſame.

VIII. AND in Regard the reſpective Treaſurers of the ſaid Counties, have not, or at preſent, may not have Money in their Hands, for defraying and ſatisfying the Rewards by this Act allowed, and intended to be given; **Be it Enacted** *by the Authority aforeſaid*, That immediately after the Publication hereof, in each of the ſaid Counties, the ſeveral and reſpective Perſons for the Time being, who are appointed for the aſſeſſing, levying, collecting, and receiving the publick and neceſſary Charge within the reſpective Counties aforeſaid; ſhall, in ſuch Manner as the publick Monies have uſually been heretofore levied, raiſe in each of the ſaid Counties, over and above what is before mentioned, cauſe the Sum of *Thirty Pounds*, lawful Money of this Colony, to be paid forthwith into the Hands of the reſpective Treaſurers of the ſaid Counties, there to remain, and be diſpoſed of for the Uſe aforeſaid, and no other: And alſo, that yearly thereafter, in each of the ſaid Counties,

That the Aſſeſſors in each County, over and above the Money already raiſed for publick Uſes, ſhall raiſe the Sum of £. 30, for the Uſe aforeſaid, to be paid into the Treaſurer's Hands.

A Sum not exceeding the ſaid Sum,

1ſt *ANNÉ*, A. D. 1702.

to be yearly raiſed, and applied for the like Purpoſe.

a certain Sum of Money, not exceeding *Thirty Pounds*, ſhall be, in Manner aforeſaid, aſſeſſed, raiſed, levied, and paid unto their reſpective Treaſurers, there to remain, and be ready for the Paying, Satisfying, and Diſcharging the Rewards herein before expreſſed, and not otherwiſe.

The Juſtice, Aſſeſſor, &c. refuſing to perform the Duties hereby required, ſhall forfeit to the Party grieved, £. 5, to be recovered by Action of Debt, in any of her Majeſty's Courts.

IX. And for the further Encouragement of ſuch Perſons who ſhall deſtroy and kill Wolves in the ſaid Counties, and ſecuring the Payment of the Rewards herein before mentioned to be given unto them; **Be it Enacted** *by the Authority aforeſaid*, That if any Juſtice of the Peace, Treaſurer, Aſſeſſor, Collector, Superviſor, or ſuch other Perſons as now are, or at any Time hereafter ſhall be appointed and authoriſed, to ſuperviſe, audit, or allow of the Accounts and Payments of the reſpective Treaſurers, in the Counties aforeſaid, ſhall neglect, deny, or refuſe to do, perform, and execute the ſeveral and reſpective Acts and Duties herein before directed, commanded, or required to be done, performed, or executed, ſo that thereby any Perſon or Perſons, who ſhall kill and deſtroy any Wolf or Wolves, their Whelp or Whelps, in the ſaid Counties, ſhall remain for the Space of one Year unpaid, or not rewarded, as is before mentioned, or whereby ſuch Treaſurer, upon his Account, ſhall remain undiſcharged; every ſuch Perſon ſo neglecting, denying, or refuſing, ſhall forfeit and pay, to the Party thereby being grieved, the Sum of *Five Pounds*, current Money of *New-York*; to be recovered by an Action of Debt, in any of her Majeſty's Courts within this Colony. *Provided always*, That ſuch Action be brought and ſued, within one Year and a Day after ſuch Offence is committed, and not otherwiſe.

Action to be brought within one Year after the Offence is committed.

Former Acts for encouraging the deſtroying of Wolves, repealed. Perſons intitled to Rewards by former Acts, not to be hereby precluded.

X. **And be it further Enacted** *by the Authority aforeſaid*, That from and after the Publication of this Act, all former Acts and Laws for giving any Reward for deſtroying of Wolves and Whelps, ſhall from henceforth ſtand repealed, and be void. *Provided*, That whatſoever Perſon or Perſons, is by the ſaid Acts or Laws entitled to any Reward or Rewards, for deſtroying of Wolves, or their Whelps, ſhall not be barred or precluded from their lawful Demands; any Thing herein contained notwithſtanding.

CHAP. CXIV.

Continued Chap. 157.

An ACT *for ſettling the Militia of this Province, and making it more uſeful for the Security and Defence thereof, and for repealing all former Acts heretofore made in this Province, relating to the ſame.*

Paſs'd the 20th of November, 1702.

CHAP. CXV.

Expired the 12th *November*, 1704.

An ACT *for the better Support and Maintenance of the Poor in the City of* New-York.

Paſs'd the 21ſt of November, 1702.

CHAP CXVI.

Obſolete.

An ACT *for granting unto her Majeſty, the Sum of* Two Thouſand Pounds, *to be applied (with her Majeſty's good Pleaſure) to the Uſes in this Act mentioned.*

Paſs'd the 25th of November, 1702.

CHAP.

CHAP. CXVII.

1st *ANNE*, A. D. 1702.

An ACT *for enforcing and continuing the Act, encouraging a Poſt-Office in this Province of* New-York, *for two Years and one half Year, from the Month of* April, *which was in the Year* 1700.

See Ch. 77. Continued Chap. 127.

Paſs'd the 25th of November, 1702.

CHAP. CXVIII.

An ACT *to enable the Mayor, Aldermen, and Commonalty of the City of* New-York, *for the Time being, to raiſe Money upon the Freeholders and Inhabitants thereof, and for defraying their publick and neceſſary Charges annually.*

Expired the 25th *November*, 1704.

Paſs'd the 25th of November, 1702.

CHAP. CXIX.

An ACT *to enable the City of* New-York, *to ſupply the Vacancy of ſuch publick elective Magiſtrates, and Officers, as may die, remove, or otherwiſe be incapacitated to ſerve, before the Time of the annual Election.*

Expired the 27th *November*, 1705.

Paſs'd the 27th of November, 1702.

CHAP. CXX.

An ACT *for Encouragement of a Grammar Free-School in the City of* New-York.

Expired the 27th *November*, 1709.

Paſs'd the 27th of November, 1702.

CHAP. CXXI.

An ACT *for Continuing the Revenue.*

See Chap. 34. Expired 1ſt of *May*, 1709.

Paſs'd the 27th of November, 1702.

CHAP. CXXII.

An ACT *for appointing and enabling Commiſſioners to take, ſtate, and examine the Accounts of the Revenue of this Colony, and the neceſſary contingent Charges of the Government.*

Obſolete.

Paſs'd the 27th of November, 1702.

CHAP. CXXIII.

An ACT *for the Regulating of Slaves.*

Revived Ch. 155. Repealed by Ch. 560.

Paſs'd the 27th of November, 1702.

CHAP. CXXIV.

An ACT *againſt forging, counterfeiting, and clipping of foreign Coin, which is current Money in the Colony of* New-York.

Revived Ch. 174. In Part repealed, Ch. 217.

Paſs'd the 27th of November, 1702.

CHAP.

1st *ANNE*, A. D. 1702.

CHAP. CXXV.

Obſolete.

An ACT *for preventing Doubts and Miſtakes, and for continuing Proceſs and judicial Proceedings.*

Paſs'd the 27th of November, 1702.

CHAP. CXXVI.

Repealed by Queen *Anne*, 26th *June* 1708.

An ACT *for repealing ſeveral Acts of Aſſembly, and declaring other Ordinances publiſhed as Acts of Aſſembly, to be void.*

Paſs'd the 27th of November, 1702.

CHAP. CXXVII.

See Chap. 117. Continued Chap. 148.

An ACT *for enforcing and continuing the Act for encouraging a Poſt-Office in this Province of* New-York, *for four Years and one half Year, from the Month of* April, *which was in the Year* 1700.

Paſs'd the 27th of November, 1702.

CHAP. CXXVIII.

2d *ANNE*, A. D. 1703.

An ACT *to enable the Miniſters and Elders, for the Time being, of the* French *Proteſtant Church in the City of* New-York, *to build a larger Church for the Worſhip of Almighty* GOD, *in that Congregation, to hold to them and their Succeſſors for ever.*

Paſs'd the 19th of June, 1703.

Preamble.

WHEREAS *Pieter Pieret*, Miniſter of the *French* Proteſtant Church in the City of *New-York*, and *John Barberie*, *Paul Droillet*, *Elias Neau*, *John David*, and *Auguſtus Gray*, § preſent Elders of the ſaid Church, are peaceably ſeized, and poſſeſſed of a certain Lot of Ground, and Church built thereon, for the Uſe of the Congregation of *French* Proteſtants in the ſaid City; ſituate and being in the Street commonly known by the Name of *Petty-coat-Lane*; butting northerly to the ſaid Street, ſoutherly to the Ground of *Jaſper Niſſepat*, deceaſed, weſterly to the Ground of *Iſaac De Foreſt*, deceaſed, and eaſterly to the Ground of *Henry Van Feurden*; being in Length Forty-eight Foot nine Inches, and in Breadth in the Front, Twenty-ſeven Foot ſeven Inches, and in the Rear, Twenty-eight Foot ſix Inches; of which Breadth, on the Weſt Side, from the Front to the Rear, is taken off and reſerved, three Foot and three Inches, for a common Alley: And whereas the ſaid Miniſter and Elders, by their Petition have ſet forth, that their Congregation is ſo much increaſed, that the ſaid Church is too ſmall to contain them, and that they are not at preſent in a Capacity to divide themſelves into two Congregations; praying, Power and Liberty, by Virtue of an Act of Aſſembly of this Province, to ſell and diſpoſe of their ſaid Ground, and Church, and to purchaſe Ground, and build thereon a larger and more convenient Church, to hold to the ſaid Miniſter and Elders of the ſaid Church, for the Time being, and to their Succeſſors, for ever, for the publick Worſhip of God in the ſaid Congregation, and for no other Uſe whatſoever.

I. To

§ *'Tis ſuppoſed, this ſhould have been* Auguſtus Jay.

2d *ANNE*, A. D. 1703.

I. To the Intent that they, the ſaid Miniſter and Elders, be enabled to ſell their ſaid Ground and Church, and that they and their Succeſſors, may be better qualified in Law, and enabled to purchaſe other Ground, build a larger Church thereon, and to hold, uſe, and enjoy the ſame, to the ſaid pious Uſe for ever; **Be it Enacted** *by his Excellency the Governor, and Council, and Repreſentatives of this Province in General Aſſembly convened, and by Authority of the ſame,* That from and after the Publication hereof, it ſhall and may be lawful, for the ſaid Miniſter and Elders, or the major Part of them, to grant, bargain, and ſell, the ſaid Ground and Church, in the ſaid Street called *Pettycoat-Lane*, to any Perſon or Perſons, or Body Politick or Corporate whatſoever, qualified to purchaſe Houſes, Ground, or other Eſtate of Inheritance; and the Sale of the ſaid Ground and Church, unto any Perſon or Perſons, or Body Politick and Corporate whatſoever, to be made by the ſaid Miniſter and Elders, or the major Part of them, is, and ſhall be deemed and adjudged good and effectual in the Law, to all Intents, Conſtructions, and Purpoſes whatſoever, as if the ſame was made by any ſingle Perſon, natural born Subject of *England*, qualified to ſell a lawful Eſtate of Inheritance, in Fee Simple, and as if the ſame had never been appropriated to the Worſhip of God, by the ſaid Congregation: And the ſaid Ground and Church, ſhall be, and remain to the Purchaſer or Purchaſers thereof, their Heirs and Aſſigns, for ever, any Law, Uſage, Cuſtom, or Pretence of Right whatſoever, to the Contrary, or any Defect or Diſability in the Law whatſoever, in any ways notwithſtanding.

To enable the Miniſter & Elders of the *French* Church, to ſell their Church and Lot of Ground in *Petty-coat-Lane*, in *Fee Simple*, to any Perſon or Perſons.

II. **And be it further Enacted and Ordained** *by the Authority aforeſaid,* That no Part of the Money, or other Conſideration ariſing by the Sale aforeſaid, of the ſaid Ground and Church, ſhall be diſpoſed of to any ſecular or profane Uſe whatſoever; but, that the ſame ſhall be expended and uſed in the Purchaſing of other more convenient Ground, or Situation, and in building thereon a larger Church, for the ſaid Congregation, for the Service and Worſhip of Almighty God.

No Part of the Money ariſing from ſuch Sale, to be diſpoſed of to any ſecular Uſe; but to be expended in purchaſing more convenient Ground for building a larger Church.

III. **And be it further Enacted and Ordained** *by the Authority aforeſaid,* That from hence forward, it ſhall and may be lawful, for the ſaid Miniſter and Elders, and their Succeſſors, to purchaſe, and buy a larger and more convenient Tract of Ground, within the ſaid City, for the Situation of one larger Church, for the Service and Worſhip of God; and to erect and build thereon a larger Church, and a Dwelling-Houſe for their Miniſter for the Time being, if they ſhall think fit; To have, hold, uſe and enjoy the ſame, for the Uſe and Intent aforeſaid, by the Name of the Miniſter and Elders of the *French* Proteſtant Church in the City of *New-York*, to them and their Succeſſors, for ever, not exceeding two Hundred Foot Square; any Law, Cuſtom, or Uſage to the Contrary, or any former Defect or Diſability in the Law whatſoever, notwithſtanding.

To enable the Miniſter & Elders, and their Succeſſors, to buy a larger Piece of Ground to build a new Church, not exceeding 200 Feet Square, and a Dwelling-Houſe for the Miniſter.

IV. AND to the Intent, that the ſaid Miniſter and Elders may be the better enabled to carry on this pious Purpoſe and Work, **Be it Enacted and Ordained** *by the Authority aforeſaid,* That henceforth it ſhall and may be lawful for the ſaid Miniſter and Elders, to collect and receive, from the Members of the ſaid Congregation, or from any other Perſon or Perſons whatſoever, their free and voluntary Contribution, or Benevolences, towards the ſame, for and during the Space of ſeven Years, next enſuing; and that it ſhall and may be lawful for ever thereafter, for the Miniſter and Elders of the ſaid Church, for the Time being, to contribute and collect, amongſt themſelves, and the Members of their own Congregation, ſuch requiſite and neceſſary Sum of Money, towards the Maintainance and Reparation of their ſaid Church, Dwelling-Houſe for their ſaid Miniſter, and other Things appertaining thereunto; any Law, Cuſtom, or Uſage to the Contrary notwithſtanding.

Licence to the Miniſter & Elders, to collect voluntary Contributions for the Space of ſeven Years, and in their Congregation for ever, for repairing their Church, and the Dwelling-Houſe for the Miniſter.

2d *ANNE*, A. D. 1703.

Proviſo, No Perſon in the Congregation to be compelled to make Contribution.

V. **Provided always**, and it is the true Intent and Meaning of this Act, That no Manner of Perſon or Perſons whatſoever, within or without the ſaid Congregation, ſhall be compelled or compellable to contribute any Sum or Sums of Money for the Uſe aforeſaid, but are left to their free and voluntary Offering or Oblation, and not otherways.

CHAP. CXXIX.

See Chap. 143.

Obſolete.

An Act *to enable the Juſtices of the Peace for the City and County of* Albany, *to repair, or to rebuild a common Goal, City and County Hall, for the ſaid City and County; and to pay the Arrears of their publick Charge.*

Paſs'd the 19th of June, 1703.

CHAP. CXXX.

Private. Confirmed by Queen *Anne*, 8th *January*, 1708.

An ACT *declaring the Illegality of the Proceedings againſt Col.* Nicholas Bayard *and Alderman* John Hutchins, *for pretended High Treaſon, and for reverſing and making null and void, the ſaid Judgments and all Proceedings thereon.*

Paſs'd the 19th of June, 1703.

CHAP. CXXXI.

Continued Chap. 154.

An ACT *for the laying out, regulating, clearing and preſerving publick common High-ways throughout this Colony.*

Paſs'd the 19th of June, 1703.

CHAP. CXXXII.

Expired at the next Seſſions after the 31ſt *May* 1710

An ACT *for prohibiting the Diſtilling of Rum, and Burning of Oyſters, Oyſter-Shells, or Stone, into Lime, within the City of* New-York, *or within half a Mile's Diſtance of the City-Hall of the ſaid City.*

Paſs'd the 19th of June, 1703.

CHAP. CXXXIII.

This Act is in ſome Things alter'd, by Chap. 433, *and* Chap. 408.

The Act explain'd is Ch. 6.

An ACT *for the better explaining, and more effectual putting in Execution, an Act of General Aſſembly, made in the third Year of the Reign of their late Majeſties King* William *and Queen* Mary, *entitled,* An *Act for* defraying of the publick and neceſſary Charge throughout this Province, and for maintaining the Poor, and preventing Vagabonds.

Paſs'd the 19th of June, 1703.

Preamble.

FORASMUCH as many Diſputes, Cavils, Controverſies and Miſtakes have happened and been occaſioned, as well by the Generality of the Words in a certain Act of General Aſſembly, entitled, *An* Act *for defraying the publick and neceſſary Charge throughout this Province, and for maintaining the Poor, and preventing Vagabonds,* as many other Omiſſions and Defects Experience has found and obſerved in the ſame Act.

I. Be

2d *ANNE*, A. D. 1703.

I. **Be it therefore Enacted** *by the Governor, Council, and Repreſentatives convened in General Aſſembly, and by the Authority of the ſame*, That there be elected and choſen, once every Year, in each reſpective Town within this Province, by the Freeholders and Inhabitants thereof, one of their Freeholders and Inhabitants, to compute, aſcertain, examine, overſee, and allow the contingent, publick, and neceſſary Charge of each County; and that each and every Inhabitant, being a Freeholder in any Manor, Liberty, Juriſdiction, Precinct, and Out-Plantation, ſhall have Liberty to join his or their Vote with the next adjacent Town in the County, where ſuch Inhabitants ſhall dwell, for Choice of a Superviſor (except the Manor of *Ranſlaerwick*, who ſhall have Liberty to chuſe a Superviſor for the ſame Manor.) And alſo, that there ſhall be in each Town, Manor, and Precinct, by the Freeholders and Inhabitants thereof, in every reſpective County, annually choſen, two Aſſeſſors, and one Collector; which Superviſors, Aſſeſſors and Collectors, ſhall be annually choſe in every Town, on the firſt *Tueſday* in *April*, or ſuch Days as is appointed by their Charters or Patents; which Superviſors, ſo choſen, ſhall annually meet at the County Town in each reſpective County, on the firſt *Tueſday* in *October*, and at ſuch other Time and Times, as the ſaid Superviſors ſhall judge and find neceſſary and convenient, to examine and compute all ſuch publick, neceſſary contingent Charges, as they ſhall find their reſpective Counties properly chargeable with, and all ſuch other Sum and Sums of Money as ſhall be brought and exhibited to or before them, that have or ſhall be impoſed or laid on the ſame Counties, by the Laws of the Colony; which Computation being made and perfected, and the Proportion of each Town, Manor, Liberty, Juriſdiction, and Precinct, within the reſpective Counties aſcertained and appointed; which the ſaid Superviſors, or the major Part of them, for the ſeveral Counties reſpectively, are hereby impowered and required, to aſcertain and appoint; ſhall be tranſmitted, under the Hands and Seals of the ſaid Superviſors, to the Aſſeſſors of each reſpective Town, Manor, Liberty, Juriſdiction, and Precinct, choſen, as aforeſaid; which Aſſeſſors are hereby required, equally, duly, and impartially, to aſſeſs, and make a Rate for their reſpective Proportions, being firſt ſworn, equally, duly, and impartially, to make ſuch Aſſeſſment, before any of the Juſtices of the Peace for the ſame County, where ſuch Aſſeſſor ſhall reſide (who are hereby authoriſed and required to adminiſter ſuch Oath) which Aſſeſſment being ſo made, ſhall be delivered to the reſpective Collectors, who are by this Act impowered to collect, and pay the ſame unto the County Treaſurer, who ſhall be annually choſe in each reſpective County, by the Superviſors aforeſaid. And if any Perſon or Perſons, ſhall refuſe, delay, or neglect to pay the ſaid Aſſeſſment or Rate; that it ſhall and may be lawful, for the Collectors aforeſaid, to collect and levy the ſame by Diſtreſs, on the Goods and Chattels of the Defaulters, by Warrant under the Hand and Seal of the Superviſors of each reſpective County aforeſaid, or the major Part of them; who are hereby obliged, to affix ſuch Warrant aforeſaid to each Aſſeſſment, ſo to be tranſmitted to the Collector, as aforeſaid; who are hereby required, to pay and lodge in the Hands of the Treaſurer of each reſpective County, the Sum and Sums of Money by them reſpectively collected, according to the Computation of the contingent Charges made and perfected, as aforeſaid; and the ſaid Treaſurer, ſhall receive and pay all ſuch Sum and Sums of Money, aſſeſſed, collected, and paid in, as aforeſaid, according to the ſaid Computation, by Warrant under the Hands and Seals of the ſaid Superviſors, or the major Part of them reſpectively. And the ſaid Treaſurers ſhall keep a diſtinct Book of Accounts, of the Receipts, Diſburſements, and Payments of the Money ſo aſſeſſed and collected, as before mentioned; and once every Year, at the annual Meeting of the ſaid Superviſors, bring in and exhibit, his or their Accounts before them, for their Audit thereof: And they are, and ſhall hereby

To be annually choſen, in every Town, one of the Freeholders, to examine and allow the Charge of the County; and any Freeholder in any Manor, *&c.* may join his Vote with the next Town in the County, for a Superviſor, except the Manor of *Ranſlaerwick*.

Two Aſſeſſors and one Collector, to be annually choſen in each Town, Manor, and Precinct

The Time when to be choſen.

Their Buſineſs, to examine and compute the Charges of their reſpective Counties, and tranſmit the Proportion of each Town, *&c.* to the Aſſeſſors of each Town, *&c.* who are to aſſeſs and make a Rate for their reſpective Proportions, being firſt ſworn by a Juſtice.

Such Aſſeſſment to be delivered to the Collectors; who are to collect and pay the ſame to the County Treaſurer, annually choſen by the Superviſors.

In Caſe of Refuſal, the Collectors may levy the ſame by Diſtreſs.

How the Treaſurer is to pay and receive the Money aſſeſſed, *&c.*

The Treaſurers to keep a Book of Accounts, *&c.* and yearly to exhibit their Accounts before the Superviſors, and ſhall be

2d *ANNE*, A. D. 1703.

liable to an Action to the Supervisors, for the Monies received by them, and may plead as Receivers or Bailiffs.

hereby be made liable to an Action of Account, to the Supervisors of each County, or the major Part of them respectively, for all such Sum or Sums of Money they shall receive, as aforesaid; which said Supervisors, are by this Act impowered and entitled, to sue, maintain, and prosecute such Action for the Use of their respective Counties; and the said Treasurers shall and may plead and discharge themselves in such Manner as other Receivers or Bailiffs by the Law, may, can, or ought to do. And further, That the said Collectors shall be allowed to take and receive, *Nine Pence* for each Pound they shall so collect, as aforesaid; and that the said Treasurers shall retain and have, *Six Pence* on the Pound, for what Monies they shall receive and pay, as aforesaid, *to wit*, *Three Pence* for receiving, and *Three Pence* for paying.

The Collectors and Treasurers Fees.

II. **And be it further Enacted** *by the Authority aforesaid*, That if the Supervisor or Supervisors, Assessor or Assessors, Collector or Collectors, Treasurer or Treasurers, so chose, as aforesaid, shall deny, neglect, refuse, delay, or fail to do, perform, and execute all and every, or any Article, Clause, Thing and Things required and contained in this Act, on such Days, Times, and in Manner herein before expressed, according to the true Intent and Meaning thereof; they, and each of them, so denying, neglecting, refusing, delaying, or failing, as aforesaid, shall forfeit *Five Pounds*, current Money of this Colony, for every such their Offence; to be recovered by the Person or Persons who is or shall be delayed, wronged, or injured by any such their, or any of their Offence, in any of her Majesty's Courts in this Colony, wherein no Essoign, Protection, Wager of Law, or any more than one Imparlance shall be allowed, besides being liable to an Action of Trespass, grounded on the Case, to every such Person, who shall be so delayed, wronged, or injured; any Law, Statute, or Usage to the Contrary hereof, in any wise notwithstanding.

The Supervisors, Assessors, Collectors, or Treasurers refusing or failing to act as hereby required, shall respectively forfeit *Five Pounds*. by whom and how to be recovered.

III. **And be it further Enacted** *by the Authority aforesaid*, That the Supervisors, Assessors, and Collectors, for the several and respective Towns within this Colony, from whom yearly Quit-Rents or Chief-Rents are due, or hereafter shall become due, or on whom such Rents are chargeable, are hereby impowered and required, to take effectual Care that the same be duly and truly paid, according to the true Intent, Meaning, and Expression of their several Patents and Grants; and that the same Assessors shall, yearly, and every Year, assess the several Freeholders of the said Towns respectively, according to the Part, Share, and Proportion of Lands within each respective Town, such Freeholder or Freeholders shall have, hold, possess, and enjoy, for and towards the discharging and paying such Chief or Quit-Rent or Rents respectively; and that the said Collector shall, by Warrant under the Hand and Seal of the Supervisor, collect, levy, and pay the same in such Manner as before in this Act is set forth and expressed, for the raising, assessing, collecting, and paying the publick and necessary Charge of each County in this Colony.

The Supervisors, Assessors and Collectors, of every Town from which yearly Rents are due, are to take Care that the same be duly paid, and for the discharging thereof, the Assessors are to assess the Freeholders in Proportion; and the Collectors are to collect and pay the same.

IV. **And be it also Enacted** *by the Authority aforesaid*, That in Case any Supervisor, Assessor, Collector, or Treasurer, after having been so chosen and elected, as aforesaid, shall happen to die, refuse to serve, or depart the Colony, after such his Election, and before the End and Expiration of the Year, for which he or they are chosen; the respective Town or County where such Person shall happen to die, refuse, or depart from, shall and may, and are hereby authorised and required, to proceed to a new Choice of such Collector, Assessor, Supervisor or Treasurer, as shall be wanting for the remaining Part of the Year. And in Case the Freeholders and Inhabitants of any Town or Precinct, or the Supervisors of any County within this Colony, shall neglect, deny, or refuse to elect and chuse a Supervisor, Assessor, Collector, or Treasurer, in

Upon the Death, Refusal, or Departure of any Supervisor, Assessor, Collector or Treasurer; the Town or County may proceed to a new Choice; and in Case the Freeholders or Supervisors of any County shall not

2d *ANNE*, A. D. 1703.

in the Manner in this Act before expreſſed; the Juſtices of the Peace of the reſpective Counties, wherein ſuch Town or Precinct ſhall lie, or the major Part of them, being not under the Number of Five, are hereby authoriſed, impowered and required, under their Hands and Seals, to nominate and appoint a Superviſor or Superviſors, Aſſeſſor or Aſſeſſors, Collector or Collectors, or Treaſurer, in the Room, Stead, and Place of ſuch Superviſors, Aſſeſſors, Collectors, or Treaſurers, ſo omitted to be choſen; who ſhall be Superviſors, Aſſeſſors, Collectors, and Treaſurers, to all Intents and Purpoſes, with the like Powers, and ſubject to the ſame Rules, Pains, and Penalties, as any Superviſor, Aſſeſſor, Collector, or Treaſurer, choſen, or intended to be choſen and elected, purſuant to, and by Virtue of this Act.

chuſe a Superviſor or Aſſeſſor, &c. the Juſtices may nominate and appoint them.

CHAP. CXXXIV.

An ACT *for the better Eſtabliſhment of the Maintainance for the Miniſter of the City of* New-York.

See Ch. 36; and Ch. 141.

Paſs'd the 19th of June, 1703.

CHAP. CXXXV.

An ACT *for the better and more ſpeedy Recovery of the Forfeiture of* Six Pounds, *for Perſons not appearing upon Detachments, and performing the Service required, according to the Purport of an Act of General Aſſembly of this Colony, made in the firſt Year of her Majeſty's Reign, entitled,* An *Act* for the better Settling the Militia of this Province.

The Act referred to Chap 114, is expired.

Obſolete.

Paſs'd the 19th of June, 1703.

CHAP. CXXXVI.

An ACT *to ſupply the Defects of an Act of General Aſſembly, made in the firſt Year of her preſent Majeſty's Reign, entitled,* An *Act* for appointing and enabling Commiſſioners to take, ſtate and examine the Accounts of the Revenue of this Colony, and the neceſſary contingent Charge of the Government.

See Chap. 6.

Obſolete.

Paſs'd the 19th of June, 1703.

CHAP. CXXXVII.

An ACT *for raiſing* Fifteen Hundred Pounds, *towards erecting two Batteries at the Narrows, or Paſſage between* Staten *and* Long-Iſland.

Obſolete.

Paſs'd the 19th of June, 1703.

CHAP. CXXXVIII.

An ACT *to aſcertain the Size of Casks, Weights and Meaſures, and Bricks, within this Colony.*

Paſs'd the 19th of June, 1703.

WHEREAS nothing is more agreeable to common Juſtice and Equity, nor for the Good and Benefit of any People or Government, who live in Community and Friendſhip together, than that they have one equal and juſt Weight and Balance, one true and perfect Standard and Aſſize of Meaſure among

Preamble.

2d *ANNE*, A. D. 1703.

among them; for Want whereof, Experience ſhews, that many Frauds and Deceits happen, which uſually fall heavy upon the meaneſt and moſt indigent ſort of People, who are leaſt able to bear the ſame, and may be accounted little better than Oppreſſion: For Remedy of which Evil,

I. **Be it Enacted**, *and it is hereby Enacted by his Excellency the Governor, by and with the Advice and Conſent of her Majeſty's Council, and Repreſentatives of this Colony, in General Aſſembly convened, and by the Authority of the ſame*, That from and after the firſt Day of *Auguſt* next, no Cooper, or other Perſon or Perſons whatſoever, within this City or Colony, ſhall make any dry Cask or Veſſel, but of good and well-ſeaſon'd Timber, and of the reſpective Dimenſions following, *that is to ſay*,

Every Caſk or Veſſel after the 1ſt of *Auguſt* 1703, to be made of good and well-ſeaſon'd Timber.

The Size of a Hogſhead.

Every Hogſhead to be Forty Inches long, Thirty-three Inches in the Bulge, Twenty-ſeven Inches in the Head.

Of a Tierce.

Every Tierce to be Thirty-ſix Inches long, Twenty-ſeven Inches in the Bulge, and Twenty-three Inches in the Head.

Of a Barrel.

Every Barrel to be Thirty Inches long, Twenty-ſix Inches in the Bulge, and Twenty-two Inches in the Head.

Of an half Barrel.

Every Half Barrel to be Twenty-five Inches long, Twenty Inches in the Bulge, and Sixteen Inches in the Head.

Of a Quarter Barrel.

Every Quarter Barrel to be Twenty Inches long, Sixteen Inches in the Bulge, and Thirteen Inches in the Head.

Of tight Barrels.

All tite Barrels to contain Thirty-one Gallons and an Half, of Wine Meaſure, each, and not to exceed, or be half a Gallon over or under the ſame; and all other Caſk to contain in Proportion to a Barrel, upon the Penalty of *Five Shillings* for every Offence committed to the contrary hereof; to be paid by the Maker or Uſer of ſuch Caſks or Veſſels, in whoſe Hands the ſaid Offence ſhall firſt happen to be known or diſcovered.

II. And for the Prevention of other Frauds and Deceits, that may be in Caſks made aforeſaid, according to the reſpective Dimenſions aforeſaid; **Be it further Enacted** *by the Authority aforeſaid*, That from and after the ſaid firſt Day of *Auguſt*, all and every the Caſk and Caſks which ſhall be employed or uſed for the Stowing or Packing of Flour or Biſcuit within this City or Province, for the Tranſportation thereof, or otherwiſe in any way of Merchandize, before any the ſaid Goods or Commodities ſhall be put or pack'd therein, ſhall be truly weighed, and the juſt Weight and Tare thereof, be ſet with a Marking-Iron upon the Head of each Caſk ſo employed, as aforeſaid, together with the Name of each reſpective Perſon uſing or employing the ſame, upon the Penalty of *Nine Pence*; to be paid for every Neglect herein, by the Perſon or Perſons reſpectively, on whoſe Account any of the Goods or Commodities aforeſaid ſhall, to the contrary hereof, be ſtowed or packed, as aforeſaid.

Every Caſk employed in Merchandize, to be weighed, and to have the Tare ſet with a Marking-Iron, on its Head, upon the Penalty of *Nine Pence* for every Neglect.

III. **And be it further Enacted** *by the Authority aforeſaid*, That from and after the firſt Day of *Auguſt* aforeſaid, there ſhall be one juſt Beam or Ballance, one certain Weight and Meaſure, and one Yard; *that is to ſay*, Averdupois and Troy Weights, Buſhels, Half Buſhels, Pecks, and Half Pecks, according to the Standard of her Majeſty's Exchequer in her Realm of *England*, throughout all this Colony, as well in Places privileged, as without; any Uſage or Cuſtom to the contrary notwithſtanding; and that every Meaſure of Corn ſhall be ſtriked without Heap: And whoſoever ſhall ſell, buy, or keep any other Beam, Weight, Meaſure, or Yard, than as aforeſaid, whereby any Corn, Grain, or other Thing is bought or ſold, from and after the Time limited as aforeſaid, ſhall forfeit, for every ſuch Offence, *Twenty Shillings*.

There ſhall be but one Beam or Ballance, one certain Weight and Meaſure, *viz.* Averdupois and Troy Weights throughout the Colony, according to the Standard of the Exchequer, on the Forfeiture of 20*ſ.* for every Offence.

IV. An

IV. AND that for the better Obſervance and putting in Execution of this Act, fit Perſons be appointed in all Counties and Cities within this Colony, for the Sealing and Marking all Beams, Weights, Meaſures and Yards, to be uſed within the reſpective Counties and Cities aforeſaid, with the Letter [*A*] according to the Standard of her Majeſty's Exchequer in *England*, that the ſame may be known throughout this Colony; and that his Excellency the Governor aforeſaid, be deſired to nominate and appoint ſuch fit Perſons in all proper Places within this Colony aforeſaid; the which reſpective Perſons, when nominated and appointed, ſhall take, for their Pains, in ſealing and marking all ſuch Beams, Weights, Meaſures, and Yards, as ſhall, from Time to Time, for that Purpoſe be brought to them, the Rate of *Nine Pence*, except Weights, and ſmall Liquid Meaſures, which ſhall pay only *One Penny* each, and no more, on Penalty of *Five Shillings* for the leaſt Exaction therein. Saving always nevertheleſs, unto the Cities of *New-York*, *Albany*, and Borough of *Weſtcheſter*, and the Mayors thereof for the Time being, all ſuch Rights, Privileges, and Uſages, as they reſpectively can juſtly claim, as Clerks of the Market within the ſaid Cities and Borough, or otherwiſe howſoever; any Thing herein contained to the contrary hereof notwithſtanding.

Perſons to be appointed to mark all Weights and Meaſures.

The Fees of the Perſons ſo appointed, for their Trouble.

Saving to the Cities of *New-York* and *Albany*, and Borough of *Weſtcheſter*, their reſpective Rights, and Privileges.

V. **Be it alſo further Enacted** *by the Authority aforeſaid*, That from and after the firſt Day of *Auguſt* aforeſaid, no Perſon or Perſons, be he Maſter or Servant, ſhall make, or ſuffer to be made, in any Place or Places within this Colony, any Bricks, or Kiln of Bricks, but ſuch as ſhall be well and thoroughly burnt, and of the Size and Dimenſions following, *that is to ſay*, Every Brick to be and contain Nine Inches in Length, Four Inches and one Quarter of an Inch in Breadth, and Two Inches and one Half Inch in the Thickneſs thereof, all well ſtruck off, in good and Workman-like Order and Manner, and made of right and well-temper'd Mould or Clay, on the Penalty of *Six Shillings* for every Neglect herein; to be paid by the Maſter or Owner of the ſaid Bricks or Kiln, in whoſe Hands, or whereſoever the Neglect or Offence aforeſaid, ſhall be diſcovered or found out, except Well-Bricks.

The Quality and Dimenſions of Bricks to be made in this Province, on the Penalty of *Six Shillings*, for every Neglect.

VI. **And it it hereby alſo further Enacted**, That from and after the Time limited, as aforeſaid, no other Caſks, Beams, Weights, Meaſures, Yards, or Bricks, ſhall be uſed within this Colony, than ſuch as aforeſaid (except Well-Bricks, and ſuch other Bricks as are already made, or to be made before the Commencement of this Act) on the Penalty of *Twenty Shillings*; to be paid by the Perſon or Perſons uſing the ſame, or any of them.

Except Well-Bricks.

VII. **Provided always**, That all and every the Penalties and Forfeitures in and by this Act ſet and appointed, as aforeſaid, ſhall be, one Half to the Uſe of the Poor of the Pariſh, Town, or Place, where the Default or Offence happens to be; the other Moiety thereof, to the Uſe of any Perſon or Perſons who ſhall inform and ſue for the ſame Forfeitures, in any of her Majeſty's Courts of Record within this Colony, or elſe to be recovered to the Uſes aforeſaid, upon Conviction of the Offender, by the Oath of one ſufficient Witneſs, before any Juſtice of Peace, Mayor, or other Head Officer of the City, County, Town, or Place reſpectively, where the Offence againſt, or Breach of this Act ſhall be committed, (who, by Virtue of this Act, ſhall have Power to adminiſter an Oath in that Behalf) by way of Diſtreſs and Sale of the Offender's Goods and Chattels, the Overplus, if any be, after Charges of the Diſtreſs deducted, to be returned to the Owner thereof: And where no Diſtreſs can be had, that it ſhall and may be lawful, to and for any Juſtice of Peace, Mayor, or Head Officer aforeſaid, to commit the ſaid Offender or Offenders to Priſon or Goal, there to remain without Bail or Mainprize, until he or they ſhall pay the Penalties and Forfeitures aforeſaid, for which they ſhall be ſo committed, to the Uſes aforeſaid.

The Forfeitures to be one Half for the Uſe of the Poor, and the other Half for the Proſecutor.

The Manner in which they are to be recovered.

VIII. **Provided**

2d *ANNE*, A. D. 1703.

Provided, that every Proſecution be within three Months after the Offence committed.

VIII. **Provided alſo,** That no Proſecution ſhall be for any of the Forfeitures aforeſaid, but within Three Months after the reſpective Facts or Offences committed; any Thing herein to the contrary hereof notwithſtanding.

CHAP. CXXXIX.

An ACT *to oblige Perſons to pay their Arrears of* One Thouſand Pounds *Tax, granted by Act of General Aſſembly of this Province, in the Twelfth Year of the Reign of our late Sovereign King* William *the Third, for building a Fort at* Onondaga, *for the Security of the Five Nations of Indians.*

See Chap. 143.

Obſolete.

Paſs'd the 19th of June, 1703.

CHAP. CXL.

An ACT *for levying and collecting the Sum of* Thirteen Hundred Pounds *for maintaining One Hundred Fuzileers, with their proper Officers, and Thirty Men with their proper Officers, to be employed as Scouts, for the Defence of the Frontiers.*

Obſolete.

Paſs'd the 23d of October, 1703.

CHAP CXLI.

3d *ANNE*, A. D. 1704.

An ACT *for granting ſundry Privileges and Powers, to the Rector and Inhabitants of the City of* New-York, *of the Communion of the Church of* England, *as by Law eſtabliſhed.*

See Chap. 134, and Chap. 146.

Paſs'd the 27th of June, 1704.

WHEREAS the Inhabitants of the City of *New-York*, of the Communion of the *Church of England*, as by Law eſtabliſhed, for ſome Years paſt, by voluntary Contribution of themſelves and others, favouring the Church's Intereſt, have erected a Church within the ſaid City, for the Service and Worſhip of Almighty God, called, and known by the Name of *Trinity Church*; and have purchaſed and procured, and do quietly and peaceably hold, uſe, exerciſe and enjoy, the ſaid Church, with the Cemitry or Burying-Place, and a certain Tract of Land belonging thereunto, bounded eaſterly upon the Street commonly called the *Broad-Way*, containing in Breadth, on the Weſt Side of the ſaid Street, three Hundred and ten Foot, or thereabouts, from the North-Eaſt Corner of the Ground commonly called the *Queen's Garden*, to the Land of *John Hutchins*, Eſq; thence by a ſtreight Line along the North Side of the ſaid Burying Place, continued to Low-Water Mark of *Hudſon's-River*; thence by a Line Southward along the ſaid River, three Hundred Ninety and five Foot, all *Engliſh* Meaſure; and from thence by the Line of the ſaid Garden eaſterly, to the Place where it begun; together with ſundry Powers, Rights, Privileges, and Preheminences, neceſſary for the managing of the Affairs of the ſaid Church; which, by the Bleſſing of God, has been attended with great Succeſs; and the Congregation thereof being much increaſed, calls for ſuitable Encouragement: To the End therefore that ſuch religious Work may be founded upon ſome laſting Foundation, grow up and become fruitful, to the Praiſe and Glory of God, the Good Example of others, and the Benefit of their Poſterity and Succeſſors;

Preamble.

I. Be

3d *ANNE*, A. D. 1704.

I. **Be it Enacted** *by his Excellency* Edward *Viſcount* Cornbury, *Captain General and Governor in Chief of the Colony of* New-York, *by and with the Conſent of her Majeſty's Council, and this Aſſembly General, and by Authority of the ſame*, That from hence forward, for ever hereafter, the Rector and Inhabitants of the ſaid City of *New-York*, in Communion of the Church of *England*, as by Law eſtabliſhed, and their Succeſſors, be, and ſhall be able and capable in the Law, for the Maintenance and Recovery of their Eſtates, Rights, and Privileges whatſoever, to ſue, and be ſued, plead, and be impleaded, to anſwer, and be anſwered unto, defend, and be defended, by the ſame Name of *The Rector and Inhabitants of the City of* New-York, *in Communion of the Church of* England, *as by Law eſtabliſhed*, in all Suits, Quarrels, Controverſies, Cauſes, Actions, Matters, and Things whatſoever, in any Court or Courts of Common Law, or Equity whatſoever; and that by the ſame Name, they and their Succeſſors, do and ſhall lawfully have, hold, uſe, exerciſe, and enjoy all and ſingular their ſaid Church Burying-Place, and Land thereto belonging, with the Hereditaments, and Appurtenances, heretofore by them and their Predeceſſors, by whatſoever Name or Names the ſame were purchaſed, and had, or to them given or granted, and by them, or any of them, uſed and enjoyed for the Uſes aforeſaid, to them and their Succeſſors, to the ſole and only proper Uſe and Benefit of the ſaid Rector and Inhabitants, and their Succeſſors for ever, in as firm and ample Manner, in the Law, as if the ſaid Rector and Inhabitants had been legally incorporated, and made capable in the Law, to take, receive, purchaſe, have, hold, uſe, and enjoy the ſame, at, and before the purchaſing, taking, receiving, and holding of the ſaid Cemetry, and Lands thereunto belonging, and lawfully had, held, and enjoyed the ſame; any Law, Uſage, or Cuſtom to the Contrary thereof, in any Wiſe notwithſtanding.

The Rector and Inhabitants, in Communion of the Church of *England*, and their Succeſſors, ſhall be capable of impleading, and being impleaded, by the Name of the *Rector and Inhabitants of the City of* New-York, *in Communion of the Church of* England, *as by Law eſtabliſhed*; And by the ſame Name, exerciſe & enjoy the Church Burying-Place, with its Appurtenances, for ever, as fully as if they had been for that Purpoſe incorporated, before the purchaſing thereof

II. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Rector and Inhabitants, and their Succeſſors, by the ſame Name, from henceforward, for ever, have, and ſhall have full Power, good Right, and lawful Authority, to have, take, receive, acquire, and purchaſe, and uſe, and enjoy Lands, Tenements, and Hereditaments, Goods, and Chattels; and to demiſe, leaſe, and improve the ſaid Lands, Tenements, and Hereditaments; and to uſe and improve ſuch Goods and Chattels, to the Benefit of the ſaid Church, and other pious Uſes, not exceeding *Five Hundred Pounds*, yearly Rent, or Income; any Law, Uſage, or Cuſtom to the Contrary hereof, in any Wiſe notwithſtanding, AND it ſhall and may be lawful for the ſaid Rector and Inhabitants, and their Succeſſors, to finiſh and adorn the ſaid Church, alter, enlarge, and amend the ſame, or any Part; as alſo to erect and build a convenient Dwelling-Houſe, Garden, and Appurtenances, for the Uſe of their Rector, for the Time being, a Veſtry-Room, Charnel-Houſe, and other Neceſſaries of the ſaid Church; and to encloſe, ſupport, and maintain the ſame, from Time to Time, as there ſhall be Need thereof.

And ſhall, by the ſame Name, take and purchaſe any Lands; and demiſe and improve the ſame for the Benefit of the Church, and other pious Uſes, not exceeding £. 500, yearly Rent.

And alter, enlarge, and amend the Church; and build a Houſe for the Rector, a Charnel-Houſe, &c.

III. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Church and Premiſſes, be, from hence forward, for ever, ſet apart, and ſeparated for the religious Uſes aforeſaid; and that the Patronage and Advowſon of the ſaid Church, and Right of Preſentation (after the Death of the preſent Rector, or upon next Avoidance, and for ever thereafter) ſhall belong and appertain to the Church-Wardens, and Veſtry-men of the ſaid Church, annually elected, or to be elected, by the Inhabitants aforeſaid, in Communion as aforeſaid, in Manner hereafter mentioned, and expreſs'd, or to the major Part of the ſaid Church-Wardens and Veſtry-men, for the Time being, whereof one Church-Warden always to be one; which Rectors ſhall be inſtituted, and inducted into the ſaid Church, in ſuch Manner, and always as ſhall be moſt

The Patronage of the Church, to belong to the Church-Wardens and Veſtry-men or to the major, Part of them for the Time being, whereof one Church-Warden always to be one.

The Rector to be inſtituted and inducted agreeable to her Majeſty's Inſtructions.

3d *ANNE*, A. D. 1704.

And the Authority of the Biſhop of *London*.

ſuitable and agreeable to her Majeſty's Inſtructions to his Excellency, the Governor of this Colony, for the Time being, and that canonical Right and Authority, which the Right Reverend Father in God, *Henry* Lord Biſhop of *London*, and his Succeſſors, hath, and ſhall have over the ſaid Church.

The Rector and Incumbents of the ſaid Church, to have £. 100 yearly, to be levied on the Inhabitants of the City, by Virtue of an Act paſſed in the fifth Year of King *William* and Queen *Mary*.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That the ſucceeding Rector or Incumbent of the ſaid Church, next after the Death or other Avoidance of Mr. *William Veſey*, preſent Rector, and his Succeſſors, for ever, be, and ſhall be inſtituted, authoriſed, and impowered, to have, and receive, and ſhall have, and receive, the Sum of *One Hundred Pounds* yearly, raiſed and levied upon the Inhabitants of the ſaid City, for the Maintenance of a good ſufficient Proteſtant Miniſter, in the City aforeſaid, by Virtue of an Act of General Aſſembly, of this Colony, made and enacted in the fifth Year of the Reign of King WILLIAM and Queen MARY, entitled, *An* Act *for ſettling a Miniſtry, and raiſing a Maintenance for them in the City of* New-York, *County of* Richmond, Weſt-cheſter, *and* Queens *County*; any Law, Cuſtom, or Uſage to the Contrary thereof, in any Wiſe notwithſtanding.

The ſaid Rector and Inhabitants to have a common Seal, and the ſame to break and new make at Diſcretion.

V. **And be it further Enacted** *by the Authority aforeſaid*, That it ſhall and may be lawful for the ſaid Rector and Inhabitants, in Communion as aforeſaid, and their Succeſſors, for ever hereafter, to have, and uſe a common Seal; and the ſame to alter, break, and new make, at their Diſcretion.

The ſaid Inhabitants to meet yearly on Tueſday in *Eaſter* Week, to chuſe two Church-Wardens and twenty Veſtrymen for the next Year, by a Majority of Voices;

Who ſhall have the ſame Power as Church-Wardens and Veſtry-men in *England*.

VI. **And be it further Enacted** *by the Authority aforeſaid*, That it ſhall and may be lawful for the Inhabitants aforeſaid, to aſſemble and meet together on Tueſday in *Eaſter* Week, annually, at the ſaid Church, to chuſe two Church-Wardens, and twenty Veſtry-men, Communicants of the ſaid Church, to ſerve and officiate for the next enſuing Year, by the Majority of the Voice of the ſaid Communicants, ſo met, and not otherwiſe; which ſaid Church-Wardens ſo choſen, and hereafter to be choſen, annually, have, and ſhall have, like Power and Authority to do, execute, and perform their ſaid Offices, reſpectively, as Church-Wardens and Veſtry-men in *England* have, unleſs ſome particular Difference may happen, by the expreſs Power and Direction of this preſent Act of General Aſſembly. And it ſhall, and may be lawful, for the ſaid Church-Wardens, or one of them, at any Time or Times, and ſo often as it ſhall be needful, to call a Meeting of the Veſtry-men of the ſaid Church, to meet the Rector, for the Time being, if any there be, and Church-Wardens, or one of them; which ſaid Rector and Church-Wardens, or one of them, and Majority of the Veſtry-men, for the Time being, have, and ſhall have Power to make ſuch Rules and Orders, for managing the Affairs of the ſaid Church, as they or the ſaid Rector and one Church-Warden, with the major Number of Veſtry-men, ſo, from Time to Time, met and aſſembled, ſhall agree upon; which ſaid Majority of Veſtry-men, together with the Rector and one Church-Warden at leaſt, ſhall have the ſole Diſpoſition and ordering of all Payments of the Church's Monies; all which Rules, Orders and Payments ſhall be fairly entered and kept in Books for that Purpoſe; *Provided nevertheleſs*, in Caſe of the Death of the ſaid Rector, and before the ſaid Church be ſupplied with another, the ſame Powers and Authorities, relating to the making of Rules and Orders, as alſo the Diſpoſition and Payment of the Church's Money, be fully inveſted in the Church-Wardens, for the Time being, by and with the Advice and Conſent of the major Number of the whole Veſtry-men, and not otherwiſe, to be entered and kept in Manner aforeſaid; any Thing herein contained to the Contrary thereof notwithſtanding. And it ſhall and may be lawful for the ſaid Church-Wardens, and Veſtry-men, or major Part of them, whereof one Church-Warden always to be one, without their Rector, to eſtabliſh and regulate all

The ſaid Rector and Inhabitants to have a common Seal, and the ſame to break and new make at Diſcretion.

The ſaid Inhabitants to meet yearly on Tueſday in *Eaſter* Week, to chuſe two Church-Wardens and twenty Veſtrymen for the next Year, by a Majority of Voices;

Who ſhall have the ſame Power as Church-Wardens and Veſtry-men in *England*.

The Church-Wardens, or one of them, may call a Meeting of the Veſtry-men, to meet the Rector and Church-Wardens, who may make Rules and Orders, for the Management of Church Affairs.

And ſhall have the ordering the Payment of the Church's Money; and keep Books for that Purpoſe.

Provided, that in Caſe of the Rector's Death, the ſame Powers be inveſted in the Church-Wardens, with the Advice & Conſent of the Majority of the Veſtry-men.

The Church-Wardens and Veſtry-men, may, without their Rector, eſtabliſh all Fees

3d *ANNE*, A. D. 1704.

ees and Perquiſites of their Rector, Clerk, Sexton, and other Officers of ſaid Church, rovided none of the Fees or Perquiſites ſhall exceed the Fees or Perquiſites uſually ken in *England* by ſuch Officers, reſpectively, with Regard to the Difference of he Value of Money in this Colony; as alſo for the ſaid Church-Wardens and Veſtry-en, or major Part of them, with their ſaid Rector, to regulate and order the Per-uiſites of the Church, growing and coming by the Breaking of the Ground in the emitry or Church-Yard, and in the Church, for burying the Dead, provided the erquiſites for breaking the Ground in the Cemitry or Church-Yard, ſhall not xceed the Perquiſites reſerved and mentioned in the Grant thereof, made by he Mayor, Aldermen and Commonalty of the City of *New-York*, for the Uſe f Trinity-Church aforeſaid: And in Caſe the Church-Wardens and Veſtry-en, or any of them, happen to die within the Year, it ſhall be lawful for the habitants aforeſaid, in Communion as aforeſaid, at any Time, upon ſuch Em-rgency, to meet at the ſaid Church, upon Notice given by the Rector, to ect and chuſe others, ſo qualified as aforeſaid, in their Room; who ſhall have ll Power and Authority to do, execute, and perform the Offices of ſuch as ey ſhall be ſo choſen to ſucceed, reſpectively, until the Time of next annual lection. And upon the Alteration of any Church Warden, by Death or herwiſe, the preceding Church-Warden or Wardens of the ſaid Church, all deliver over to their Succeſſors in that Office, all Deeds, Charters, Evi-ences, Books, Matters, and Things whatſoever, belonging to the ſaid Church, their Cuſtody by Indentures, containing an Inventory of them, interchange-bly under their Hands, which Indentures ſhall be exhibited and ſhewn to the eſtrymen at firſt Meeting, next after ſuch annual Election, or other Alteration appening.

Fees of their Officers, provided none of them exceed thoſe uſually taken in *England*.

And may, with their Rector, regulate the Perquiſites of the Church, growing by the Breaking up the Ground in the Church-Yard, &c.

If any of the Church-Wardens or Veſtry-men die within the Year, the Inhabitants may meet, & elect others in their Room.

On the Alteration of any Church Wardens, the preceding Wardens to deliver to their Succeſſors all Deeds, Charters, &c. belonging to the Church, in their Cuſtody.

VII. **And be it further Enacted** *by the Authority aforeſaid*, That it ſhall and ay be lawful for the Rector, for the Time being, of the ſaid Church, upon voidance of ſuch Officers, to nominate and appoint a Clerk, Sexton or Sex-ns for the ſaid Church; and that the Clerk, Sexton or Sextons of the ſaid hurch be, and continue in their reſpective Offices during their natural Lives, leſs they voluntarily ſurrender, become incapable of ſerving by Sickneſs or her Infirmity, or miſbehave themſelves, in which Caſe it ſhall be in the ower of the Rector of the ſaid Church, for the Time being, with Advice and onſent of the Church-Wardens, or one of them, and Veſtry-men, or major art of them, to diſplace or remove ſuch Officer or Officers, ſo miſbehaving emſelves; and not otherwiſe.

Upon Avoidance of the Offices, the Rector may appoint a Clerk and Sexton, &c.

VIII. **And laſtly, Be it Enacted** *by the Authority aforeſaid*, That this pre-nt Act, and the ſeveral Powers, Privileges, and Liberties therein and thereby anted to the Rector and Inhabitants aforeſaid, in Communion as aforeſaid, d their Succeſſors, for ever, be, and ſhall be conſtrued and underſtood moſt vourably for the Benefit of ſaid Church, according to the true Intent and eaning of his Excellency the Governor and Council and Aſſembly aforeſaid.

This Act to receive the moſt favourable Conſtruction for the Benefit of the Church.

IX. **Provided nevertheleſs**, That this preſent Act of General Aſſembly, r any Thing therein contained, ſhall be conſtrued or underſtood to extend *abridge or take away the Indulgency or Liberty of Conſcience granted or allowed other Proteſtant Chriſtians*, by an Act of Parliament, made in the firſt Year the Reign of the late King WILLIAM and Queen MARY, of bleſſed Memo-, intitled, *An* Act *for exempting their Majeſties Proteſtant Subjects, diſſenting m the Church of* England, *from the Penalty of certain Laws*, or by any other w or Statute of the Realm of *England*, or this Plantation; any Thing in s preſent Act contained or miſconſtrued to the Contrary thereof, in any ays notwithſtanding.

Provided it ſhall not be extended to abridge the Indulgence and Liberty of Conſcience granted to all Proteſtant Chriſtians, by Statute of *William* and *Mary*.

CHAP.

3d *ANNE*, A. D. 1704.

CHAP. CXLII.

Obſolete.

An ACT *to charge the ſeveral Cities and Counties in this Colony with* One Hundred and Forty-three Pounds, Ten Shillings, and Ten Pence, *for fitting and furniſhing a Room for the General Aſſembly, with a Lobby, in the City-Hall of* New-York. Paſs'd the 27th of June, 1704.

CHAP. CXLIII.

See Chap. 139.

Obſolete.

An ACT *for the better explaining an Act made in the ſecond Year of her preſent Majeſty's Reign, entitled,* An *Act* to oblige Perſons to pay their Arrears of *One Thouſand Pounds* Tax, granted by Act of General Aſſembly of this Colony, in the twelfth Year of our late Sovereign, King WILLIAM the Third, of bleſſed Memory, for building a Fort at *Onondaga*, for the Security of the *Five Nations of Indians*, and for the remedying ſome irregular Proceedings committed in *Kings* County, in the Execution of the ſaid Act. Paſs'd the 27th of June, 1704.

CHAP. CXLIV.

See Chap. 131.

Obſolete.

An ACT *for the better laying out, regulating, clearing, and preſerving publick common High-ways in this Colony, and for the erecting and building a County Jail and County Houſe, in the County of* Richmond. Paſs'd the 27th of June, 1704.

CHAP. CXLV.

See Chap. 1.

An ACT *to repeal the laſt Clauſe in an Act of Aſſembly, intitled,* An *Act* for the quieting and ſettling the Diſorders that have lately happened within this Province, and for the eſtabliſhing, and ſecuring their Majeſties preſent Government againſt the like Diſorders for the Future. Paſs'd the 27th of June, 1704.

The Seventh ASSEMBLY.

FIRST SESSIONS.

4th *ANNE*, A. D. 1705.

CHAP. CXLVI.

See Chap. 36, Confirm'd by Queen *ANNE*, the 11th of *April*, 1706

See alſo Ch. 152. *The Number of Veſtry-men to be choſen is increaſed by* Chap. 812.

An ACT *for the better explaining, and more effectual putting in Execution, an Act of General Aſſembly, entitled,* An *Act* for ſettling a Miniſtry and raiſing a Maintenance for them, in the City of *New-York*, County of *Richmond, Weſtcheſter*, and *Queens County*. Paſs'd the 4th of Auguſt, 1705.

Preamble.

WHEREAS by an Act of General Aſſembly, made in the Year of our Lord One Thouſand Six Hundred and Ninety-three, entitled, *An* Act *for ſettling a Miniſtry, and raiſing a Maintenance for them in the City of* New-York *County of* Richmond, Weſtcheſter, *and* Queens *County*, it was Enacted, That there ſhould be called, inducted, and eſtabliſhed, in the ſeveral Places therein mentioned, a good ſufficient Proteſtant Miniſter, to officiate and have the Care of Souls; and that there ſhould be annually aſſeſſed, levied, collected, and paid, in every the reſpective Cities and Counties aforeſaid, the ſeveral and reſpective Sums in the ſaid Act mentioned, for the Maintenance of their ſeveral and reſpective Miniſters, to be paid in Country Produce at Money Price. And whereas in putting in Execution the ſaid Act, many Diſputes, Difficulties, and Queſtions have ariſen; for the preventing and avoiding of which,

I. Be

4th *ANNE*, A. D. 1705.

I. **Be it Enacted** *by the Governor, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from henceforth, if the Juſtices and Veſtry-men of each reſpective County, Pariſh, or Precinct, of *Richmond*, *Weſtcheſter*, and *Queens* County, aforeſaid, who, by the ſaid Act, are directed and impowered to lay the Tax for the Purpoſes aforeſaid, ſhall not, within ten Days next after the ſaid Veſtry-men ſhall be reſpectively choſen, in ſuch Manner as the ſaid Act directs, lay a reaſonable Tax on the ſeveral and reſpective Places, for the ſeveral and reſpective Maintenances in the ſaid Act expreſs'd; that then the reſpective Juſtices of the Peace, of each County, reſpectively, or any two of them, ſhall, and are hereby required and impowered, within ten Days next after ſuch Neglect or Refuſal of the Veſtry-men aforeſaid, to lay a reaſonable Tax on the reſpective Places aforeſaid, for the ſeveral and reſpective Maintenances, as they might have done by Virtue of the ſaid Act, in Default of the reſpective Freeholders chuſing of the Veſtry-men, under Penalty of *Five Pounds*, for every reſpective Juſtice that ſhall neglect or refuſe to do the ſame.

If the Juſtices and Veſtry-Men of each reſpective County, Pariſh, &c. ſhall not lay a Tax for the Maintenance, &c. within 10 Days after the Veſtry-Men are choſen; then any two of the Juſtices of each County, may do it in 10 Days after ſuch Neglect.

II. **And be it further Enacted** *by the Authority aforeſaid,* That all and every the Payments that ſhall hereafter be made, and paid to the reſpective preſent Incumbents, inducted and eſtabliſhed at the reſpective Places aforeſaid, by his Excellency the preſent Governor, and to all and every the Incumbents who ſhall hereafter be preſented, inſtituted, and inducted to the ſaid reſpective Places, for their reſpective Maintenances, purſuant to the ſaid recited Act, ſhall be made and paid to them, reſpectively, by the reſpective Church-Wardens of every reſpective Place, in the current Money of this Province, any Thing contained in the ſaid Act to the Contrary notwithſtanding; and the ſame to be paid at ſuch Times, and in ſuch Manner, and under ſuch Penalty as in the ſaid Act the ſame is required, and directed to be paid in Country Produce.

All the Payments to the Incumbents for their Maintenance, to be made by the Church-Wardens, in Money of this Province.

III. AND, for the more effectual putting in Execution the ſaid recited Act, **Be it further Enacted** *by the Authority aforeſaid,* That all and ſingular the Fines, Penalties, and Forfeitures mentioned in this, and the ſaid recited Act, ſhall be one Half to the Poor of every reſpective County, Pariſh, and Precinct, where the ſame ſhall be incurred, and the other Half to him or them that ſhall ſue or will proſecute for the ſame, before any of her Majeſty's Juſtices of the Peace, for the reſpective Counties, for the Time being, where ſuch Penalty ſhall be incurred, as aforeſaid, who are hereby, reſpectively, required, impowered and authoriſed, within forty Days after any Complaint ſhall be made to him or them, by any Perſon or Perſons, of the Breach of this, or of the ſaid recited Act, by Reaſon of any Perſon or Perſons not doing his or their Duty, hereby, or by the ſaid recited Act, required to be, by him or them, performed and done, to ſummons the ſaid Perſon or Perſons, ſo complained againſt, as aforeſaid; and upon the Parties not appearing, upon the ſaid Summons, or the Matter being heard before him, ſhall give Judgment and grant Execution thereon, againſt the Party ſo not appearing, or offending, and ſhall immediately, thereupon, appoint another fit Perſon to do and perform, what ought to have been done and performed by the ſaid Party offending; and if the Perſon ſo appointed, as aforeſaid, ſhall neglect to do and perform his Duty therein, he ſhall be ſubject to the like Penalty, as if he had been duly elected; any former Law, Uſage, or Cuſtom to the Contrary thereof, in any Wiſe notwithſtanding.

The Forfeitures incurred by this, and the former Acts, relating to the Maintenance of Miniſters to be one half to the Poor, and the other half to the Proſecutor.

How the Forfeitures are to be recovered.

IV. AND, foraſmuch as by the ſaid Act, all and every the reſpective Miniſters, that ſhould be ſettled within the reſpective Counties, Pariſhes, and Precincts aforeſaid, ſhould be called to officiate in the reſpective Places, by the reſpective Veſtry-men and Church-Wardens, within one Year next after the

4th *ANNE*, A. D. 1705.

Publication of the ſaid recited Act: Now, as an Explanation of the ſaid Act, and for preventing any Controverſies and Diſputes, for the Future, touching the ſame, **It is hereby further Enacted and Declared**, That the reſpective Veſtry-men and Church-Wardens, for the Time being, of every reſpective Place, or major Part of the ſaid Church-Wardens and Veſtrymen, whereof one Church-Warden always to be one, ſhall, and are hereby impowered to call and preſent, after the Death of the ſeveral and reſpective preſent Incumbents, ſo inducted and eſtabliſhed, as aforeſaid, and for ever hereafter, a good ſufficient Proteſtant Miniſter, within one Year next after the Avoidance of any of the ſaid Places, reſpectively, the ſame ſhall, from Time to Time, happen to become void; which Miniſters ſhall reſpectively be inſtituted and inducted to the ſaid Churches of the ſaid reſpective Places; and ſo, as often as any, or either of the ſaid Places ſhall become void.

The Veſtrymen and Church-Wardens, to preſent, in Caſe of Death.

V. **Provided nevertheleſs**, That neither this preſent Act of General Aſſembly, nor any Thing herein contained, ſhall be conſtrued, or underſtood to extend to abridge, or take away the Indulgence, or Liberty of Conſcience granted and allowed to any other Proteſtant Chriſtians, by any Law, or Statute of the Realm of *England*, or of this Plantation; any Thing in this Act contained to the Contrary thereof, in any Wiſe notwithſtanding.

This Act not to abridge the Liberty of Conſcience, granted by the Laws of *England*, or of this Province.

VI. **And laſtly, it is hereby Enacted and Declared** *by the Authority aforeſaid*, That the ſaid Act of General Aſſembly, made in the Year Sixteen Hundred Ninety-three, herein before recited, and all and every Clauſe, Article, and Thing therein contained, ſhall continue, and be in full Force and Virtue, ſave ſo much only, which, by any former or this preſent Act, is altered, or made void, or otherwiſe directed, declared, and provided for.

Chap. 36 confirmed.

CHAP. CXLVII.

An ACT *to enable the Juſtices of the Peace, for the City and County of* Albany, *to raiſe the Sum of* One Hundred Pounds, *for the repairing or rebuilding of a common Goal, and City and County Hall, over and above the Sum of* Four Hundred Pounds, *they were enabled to raiſe by an Act of the General Aſſembly, made in the ſecond Year of her Majeſty's Reign, entitled*, An *Act* to enable the Juſtices of the Peace for the City and County of *Albany*, to repair or rebuild a common Goal, City and County Hall, for the ſaid City and County; and to pay the Arrears of their public Charge.

Obſolete.

Paſs'd the 4th of Auguſt, 1705.

CHAP. CXLVIII.

An ACT *for enforcing and continuing the Act for encouraging a Poſt-Office, in this Province of* New-York, *for three Years, from the Month of* October, *which was in the Year* One Thouſand, Seven Hundred, and Four.

See Chap. 127. Expired the 31ſt of *October*, 1707. Provided for by Chap. 169.

Paſs'd the 4th of Auguſt, 1705.

CHAP. CXLIX.

Revived, Ch. 308. *An* ACT *to prevent the Running-away of Negro Slaves, out of the City and County of* Albany, *to the* French *at* Canada.

Paſs'd the 4th of Auguſt, 1705.

CHAP.

4th *ANNE*, A. D. 1705.

CHAP. CL.

An ACT *for defraying the common and neceſſary Charge, in the Manor of* Renſelaer-wick, *in the County of* Albany.

Paſs'd the 4th of Auguſt, 1705.

BE it **Enacted** *by the Governor, Council, and Aſſembly, and by the Authority of the ſame*, That, for the better defraying the common and neceſſary Charge of the Manor of *Renſelaerwick*, in the County of *Albany*, as well what is already paſt, as the preſent and future Charges; that it ſhall and may be lawful for the Inhabitants of the Manor of *Renſelaer-wick*, being Freeholders, to elect and chuſe yearly, and every Year, one Surveyor, one Treaſurer, one Aſſeſſor, and one Collector, for the ſaid Manor; who ſhall have the ſame Power, Authority, Office, and Function, and do, perform, execute, and ſerve, and be liable to the ſame Pains and Penalties, as the Surveyors, Treaſurers, Aſſeſſors, and Collectors of the ſeveral and reſpective Counties within this Colony have, ought, or are intended to have, do, perform, and be liable to, by one certain Act of General Aſſembly, paſſed in the Year of our Lord Seventeen Hundred and Three, entitled, *An* Act *for the better explaining, and more effectual putting in Execution, an Act of General Aſſembly, made in the third Year of the Reign of the late King* WILLIAM *and Queen* MARY, *entitled*, An *Act* for defraying the public and neceſſary Charge, throughout this Province, and for maintaining the Poor, and preventing Vagabonds.

The Freeholders of the Manor of *Renſelaerwick*, may yearly chuſe a Surveyor, a Treaſurer, Aſſeſſor and Collector.

II. **And be it further Enacted** *by the ſame Authority*, That the Wages and Charge of their Repreſentative, or Deputy, in General Aſſembly, ſhall be the ſame as in the other Cities and Counties, which is, and ſhall be, *Ten Shillings per Diem*; and that, as to what relates to the Wages and Charges of Repreſentatives in General Aſſembly, the Inhabitants of the ſame Manor, ſhall only be liable to defray the Wages and Charge of their own Repreſentatives, or Deputy, in General Aſſembly; and not otherwiſe.

The Wages of their Repreſentatives, ſhall be 10*s.* per Day.

CHAP. CLI.

An ACT *for the Preſervation of Deer.*

Paſs'd the 4th of Auguſt, 1705.

Revived, Ch. 316.

See Chap. 146. Further Proviſion made by Ch. 412.

CHAP. CLII.

An ACT *for the better explaining, and more effectual putting in Execution, an Act of General Aſſembly, entitled*, An *Act* for ſettling a Miniſtery, and raiſing a Maintenance for them in the City of *New-York*, County of *Richmond*, *Weſt-cheſter*, and *Queen's* County.

Paſs'd the 4th of Auguſt, 1705.

This being the ſame Title with Ch. 146 *and both ſaid to be paſs'd in the ſame Year, & there being but one Act of this Title to be found, we ſuppoſe the Clerk of the Council has made a Miſtake, by a double Entry.*

CHAP. CLIII.

An ACT *for an Allowance to the Burgeſs of the Borough of* Weſt-cheſter.

Paſs'd the 4th of Auguſt, 1705.

Preamble.

FORASMUCH as the Burgeſs of the Borough of *Weſt-cheſter* cannot officiate and diſcharge the Truſt repoſed in him, without being at Charge and Expence,

I. Be

4th *ANNE*, A. D. 1705.

The Burgeſs of *Weſt-cheſter*, allowed 10*s.* per Day.

The Manner in which it is to be raiſed and paid.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and Aſſembly, and by Authority of the ſame*, That the Wages and Allowance to the ſaid Burgeſs, for the ſaid Borough, ‖ from the firſt Day of this preſent Seſſions of Aſſembly, and for ever hereafter, ſhall be as is eſtabliſhed, *viz. Ten Shillings per* Day, current Money of this Colony: And the Mayor, or Deputy-Mayor, or any two of the Aldermen, for the Time being, are hereby authoriſed, appointed, and required, to raiſe, or cauſe to be raiſed, levied, and collected, in the ſaid Borough of *Weſt-cheſter*, and to pay the ſame to the ſaid Burgeſs, in ſuch Manner, and by ſuch Ways and Methods, and for Default and Non-payment of the ſaid Wages, and Allowance, under ſuch Pains, Penalties, Fines, Forfeitures, and Puniſhments, as are mentioned, contained, and expreſſed in a certain Act of General Aſſembly, made in the Year of our Lord, Seventeen Hundred and Three, entitled, *An* Act *for the better explaining, and more effectual putting in Execution, an Act of General Aſſembly, made in the third Year of the Reign of the late King* WILLIAM *and Queen* MARY, *entitled*, An *Act* for defraying the public and neceſſary Charge throughout this Province, and for maintaining the Poor, and preventing Vagabonds; as fully, and in like Manner, as if the ſame were particularly, and at large, recited and ſet down in the Body of this Act; any Thing contained therein to the Contrary hereof, in any Wiſe notwithſtanding.

CHAP. CLIV.

See Chap. 131. Expir'd at the End of the next Seſſions, after 19th of June, 1709.

An ACT *for continuing an Act for laying out, regulating, clearing and preſerving public common High-ways, throughout this Colony.*

Paſs'd the 4th of Auguſt, 1705.

CHAP. CLV.

See Chap. 123. Revived, Ch. 370.

An ACT *for reviving and continuing an Act*, entitled, An *Act* for regulating Slaves.

Paſs'd the 4th of Auguſt, 1705.

CHAP. CLVI.

Private.

An ACT *to enable* William Bradford, *of the City of* New-York, *Printer, to ſell and diſpoſe of the real Eſtate of* John Dewſbury, *late of* Oyſter-bay, in Queens *County, within this Colony, deceaſed, for the Payment of Debts.*

Paſs'd the 4th of Auguſt, 1705.

5th *ANNE*, A. D. 1706.

The Seventh ASSEMBLY.

SECOND SESSIONS.

CHAP. CLVII.

See Chap. 114.

Revived, Ch. 168.

An ACT *for reviving an Act of General Aſſembly, entitled*, An *Act* for the better ſettling the Militia of this Province, and making it more uſeful for the Security and Defence thereof, for the Space of one Year.

Paſs'd the 27th of June, 1706.

CHAP.

‖ *The original Act was*, from the Two and twentieth Day of *October* 1702, *and is ſo in a* London *Edition of the Acts; whence 'tis concluded, that the Copy of it ſent Home, was in theſe Words, but now we find theſe Words ſtruck through, and the others interlined, and ſeveral other Alterations in the ſaid Act, varying from the ſaid Edition.*

5th *ANNE*, A. D. 1706.

CHAP. CLVIII.

An ACT *to enable the Mayor, Aldermen, and Common Council, of the City of* New-York, *to carry on the Fortifications of the ſaid City.*

Paſs'd the 27th of June, 1706.

Loſt.

CHAP. CLIX.

An ACT *for raiſing the Sum of* Three Thouſand Pounds, *towards the Defraying the Expence of fortifying the City of* New-York.

Paſs'd the 24th of October, 1706.

Obſolete.

CHAP. CLX.

An ACT *to encourage the baptizing of Negro, Indian, and Mulatto Slaves.*

Paſs'd the 24th of October, 1706.

Preamble.

WHEREAS divers of her Majeſty's good Subjects, Inhabitants of this Colony, now are, and have been willing, that ſuch Negro, Indian, and Mulatto Slaves, who belong to them, and deſire the ſame, ſhould be baptized; but are deterred and hindred therefrom, by Reaſon of a groundleſs Opinion that hath ſpread itſelf in this Colony, that, by the baptizing of ſuch Negro, Indian, or Mulatto Slave, they would become free, and ought to be ſet at Liberty. In order, therefore, to put an End to all ſuch Doubts and Scruples as have, or hereafter, at any Time, may ariſe about the ſame,

The baptizing of any Negro, &c. no Manumiſſion.

I. **Be it Enacted** *by the Governor, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the Baptizing of any Negro, Indian, or Mulatto Slave, ſhall not be any Cauſe or Reaſon for the ſetting them, or any of them, at Liberty.

Every Negro, &c. Baſtard-Child to follow the Condition of the Mother.

II. **And be it Declared and Enacted** *by the Governor, Council, and Aſſembly, and by the Authority of the ſame*, That all and every Negro, Indian, Mulatto, and Meſtee Baſtard-Child, and Children, who is, are, and ſhall be born of any Negro, Indian, Mulatto, or Meſtee, ſhall follow the State and Condition of the Mother, and be eſteemed, reputed, taken, and adjudged a Slave and Slaves, to all Intents and Purpoſes whatſoever.

Provided, that no Slave be admitted as a Witneſs, &c.

III. **Provided always, and be it Declared and Enacted**, *by the ſaid Authority*, That no Slave, whatſoever, in this Colony, ſhall, at any Time, be admitted as a Witneſs for, or againſt, any Freeman, in any Caſe, Matter, or Cauſe, civil or criminal, whatſoever.

CHAP. CLXI.

An ACT *for raiſing a Fund, for the Defence of the Frontiers, and other Uſes.*

Paſs'd the 24th of October, 1706.

Obſolete.

CHAP. CLXII.

An ACT *to furniſh the Town-Guards, at* Shenectada, *in the County of* Albany, *with Fire-wood, and to repair the Guard-Houſe, and Gates of that Town.*

Paſs'd the 24th of October, 1706.

Expir'd the 1ſt Tueſday in *April*, 1709.

5th *ANNE*, A. D. 1706.

CHAP. CLXIII.

An ACT *for the better raiſing, levying, and defraying the neceſſary Charge, in the Manor of* Renſelaer-wick, *in the County of* Albany.

Paſs'd the 24th of October, 1706.

The Superviſor of the Manor of *Renſelaer-wick*, ſhall yearly, with the Superviſors of the County of *Albany*, compute the County Charge, of the Manor, and tranſmit it to the Aſſeſſors.

How it is to be levied and paid.

I. BE it Enacted *by the Governor, Council and Aſſembly, and by the Authority of the ſame,* That the Superviſor, for the Manor of *Ranſelaer-wick*, in the County of *Albany*, for the Time being, ſhall yearly, and every Year, with the other Superviſors of the ſaid County, (as according to the late Act of General Aſſembly, ought to be done) compute all ſuch neceſſary and contingent Charge, as he and they ſhall find the ſaid County properly chargeable with; and alſo ſhall, himſelf, compute and aſcertain the neceſſary and contingent Charge that peculiarly hath been, now is, and annually hereafter ſhall, or may be, in the ſaid Manor; and the ſame tranſmit, under his Hand and Seal, to the Aſſeſſors for the ſaid Manor; and that the ſame be collected, levied, and paid in ſuch Methods as, by an Act of General Aſſembly, entitled, *An* Act *for the better explaining, and more effectual putting in Execution, an Act of General Aſſembly, made in the third Year of the Reign of the late King* WILLIAM *and Queen* MARY, *entitled,* An *Act* for defraying the public and neceſſary Charge throughout this Province, and for maintaining the Poor, and preventing Vagabonds; and one other Act, entitled, *An* Act *defraying the common and neceſſary Charge of the Manor of* Renſelaer-wick, *in the County of* Albany, is enacted, directed and provided,

The Freeholders of the Manor ſhall chuſe 3 Aſſeſſors, and 3 Collectors, who ſhall have the ſame Powers, and be liable to ſuch Penalties, as other Aſſeſſors and Collectors are.

II. And be it further Enacted *by the Authority aforeſaid,* That the Inhabitants of the ſaid Manor, being Freeholders, ſhall yearly, and every Year, elect and chuſe, by Majority of Voices, three Aſſeſſors, and three Collectors, to ſerve for the Manor aforeſaid, who ſhall have the ſame Power, Authority, Office and Function, and do, perform, execute, and ſerve, and be liable to the ſame Pains and Penalties, as other Aſſeſſors, and Collectors, by the Laws of this Colony, ought, or are intended to have, do, perform, and are liable to.

The ſaid Manor not divided from the County of *Albany*, nor chargeable with the Reward for killing Wolves.

III. And be it further Enacted *by the ſame Authority,* That, for the preventing of all Shifts and Tricks, contrived to evade the Force of this, or any former Act; it is hereby declared, That the Manor aforeſaid, can, by no reaſonable Conſtruction, be intended to be divided from the ſaid County; nor that the Charge for killing of Wolves, can be laid on the ſaid Manor only, but is properly chargeable on the whole County of *Albany*, aforeſaid.

CHAP. CLXIV.

Expired the 14th of *October*, 1709.

An ACT *to enable the Mayor, Recorder, Aldermen, and Commonalty of the City of* Albany, *for the Time being, to raiſe Monies, for defraying the public and neceſſary Charges, annually.*

Paſs'd the 24th of October, 1706.

CHAP. CLXV.

Expired the 24th of *October*, 1709.

An ACT *for regulating the inner Fences of Land, in the County of* Albany.

Paſs'd the 24th of October, 1706.

7th *ANNE*, A. D. 1708.

Obſolete.

CHAP. CLXVI.

An ACT *for raiſing a Fund, for Preſents to the* Five Nations, *and for the Defence of the Frontiers.*

Paſs'd the 18th of September, 1708.

CHAP.

CHAP. CLXVII.

7th *ANNE*, A. D. 1708.

Confirm'd 15th *December*, 1709. Revived, Ch. 314.

An ACT *for the Encouragement of Whaling.*

Paſs'd the 18th of September, 1708.

No Indian bound a Whale-fiſhing, between the 1ſt of *Nov.* and 15th of *April*, ſhall be detained, except for any Contract relating to the Whale-fiſhing, on Penalty of treble Coſts to the Maſter.

BE it **Enacted** *by the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That hereafter, any Indian, hat is bound to go to Sea a Whale-fiſhing, ſhall not, at any Time or Times, etween the firſt Day of *November*, and the fifteenth Day of *April* following, early, be ſued, arreſted, moleſted, detained, or kept out of that Employment, y any Perſon or Perſons whatſoever, pretending any Contract, Bargain, Debt, r Dues unto him or them, except, and only for, or concerning any Contract, Debt, or Bargain, relating the Undertaking and Deſign of the Whale-fiſhing; nd not otherwiſe, under the Penalty of paying treble Coſts, to the Maſter of ny ſuch Indian or Indians ſo to be ſued, arreſted, moleſted, or detained.

No Perſon to purchaſe, &c. from ſuch Indians, any Neceſſaries, nor ſupply them with Drink.

II. **And be it further Enacted** *by the Authority aforeſaid*, That if any Per- on or Perſons ſhall purchaſe, take, to pawn, or any Ways get or receive any Cloathing, Gun, or other Neceſſaries, that his Maſter ſhall let him have, from ny ſuch Indian or Indians, or ſuffer any ſuch Indian to be drinking, or drunk, in, nd about their Houſes, when they ſhould be at Sea, or other Buſineſs belong- ng to that Deſign of Whale-fiſhing, or ſhall carry, or cauſe to be carried, any Drink to them, whereby ſuch Indians are made incapable of doing their Labour nd Duty, in and about their Maſter's Service, between the firſt Day of *November*, and the fifteenth of *April* following; he, ſhe, or they, ſo offending, beſides reſtoring to ſuch Maſter, ſuch Cloathing, Gun, or other Neceſſaries) hall forfeit, and pay to the Maſter of ſuch Indian or Indians, the Sum of *Thirty hillings*, current Money of *New-York*, to be recovered before any Juſtice of the eace, in the County where ſuch Offence ſhall be committed; who is hereby uthorized and impowered to hear and determine the ſame, and thereupon to ward Execution; the one Half of ſuch Forfeitures to be to the Maſter of ſuch ndian or Indians, and the other Half to the Uſe of the County where ſuch roſecution ſhall be made. This Act to continue and be of Force, for and uring the Space and Term of ſeven Years, from the Publication hereof.

How the Forfeitures to be recovered.

CHAP. CLXVIII.

n ACT *for reviving an Act of General Aſſembly, entitled*, An *Act* for the better ſettling the Militia of this Province, and making it more uſeful for the Security and Defence thereof.

See Chap. 157. Revived, Ch. 193.

Paſs'd the 18th of September, 1708.

CHAP. CLXIX.

Expir'd 18th *September*, 1710.

An ACT *for Encouragement of the Poſt-Office, within this Province.*

Supplied by an Act of Parliament.

Paſs'd the 18th of September, 1708.

CHAP. CLXX.

n ACT *to prevent Damages by Swine, in the County of* Weſt-cheſter, Queens *County, and the County of* Richmond.

Confirm'd 15th *December*, 1709. Revived, Ch. 277. Repealed, Ch. 547.

Paſs'd the 18th of September, 1708.

CHAP.

7th *ANNE*, A. D. 1708.

Confirm'd 15th *December*, 1709.

CHAP. CLXXI.

An ACT *for Suppreſſing of Immorality.*

Paſs'd the 18th of September, 1708.

Preamble.

WHEREAS Prophaneneſs and Immorality have too much abounded within this Colony, to the Shame of Chriſtianity, and the great Grief of all good and ſober Men; for the ſuppreſſing whereof, for the Future,

Chriſtians convicted of Drunkenneſs, &c. ſhall be fined, for each Offence, 3 *Shillings*.

I. **Be it Enacted** *by the Governor, Council, and Aſſembly, now met and aſſembled, and by the Authority of the ſame*, That all Chriſtians whatſoever, within this Province, who ſhall be convicted of Drunkenneſs, Curſing, or Swearing, by the Information of every Conſtable, within their reſpective Precincts, or of any other Perſon whatſoever, before any one of her Majeſty's Juſtices of the Peace, of the City or County where ſuch Fact is committed, by the Confeſſion of the Offender, or the Oath, or Atteſtation of one credible Witneſs, (which every Juſtice of the Peace is hereby authorized to adminiſter) every Perſon ſo convicted, ſhall be fined, by the ſaid Juſtice of the Peace, for Drunkenneſs, Curſing, or Swearing, in the Sum of *Three Shillings*, Money of the Province of *New-York*, for each Offence: All which Fines to be immediately levied upon

The Fines to be levied on the Offender's Goods, & for want of Effects to be committed to the Stocks.

the Offender's Goods and Chattels, by the Conſtable aforeſaid, by Warrant from the ſaid Juſtice of the Peace; and for want of Effects to make ſuch Diſtreſs, the ſaid Conſtable, by Warrant from the ſaid Juſtice of the Peace, ſhall commit the Offender to the Stocks, for the Space of four Hours for Drunkenneſs, and two Hours for Curſing or Swearing; and each Diſtreſs ſo made, as aboveſaid, to be, by the ſaid Conſtable, ſold at a publick Out-cry, (unleſs redeemed, by paying the Fine within three Days) and after full Payment of the ſaid Fine, the Overplus (if any be) ſhall be returned to the Owner;

The Diſtreſs to be ſold, and the Overplus returned to the Owner.

The Fines to be paid to the Overſeers of the Poor, who ſhall account to the Seſſions.

and all ſuch Fines to be, by the Conſtables aforeſaid, immediately paid to the Overſeers of the Poor of the ſaid City or County where ſuch Fact is committed, for the Uſe of the Poor of that City or County; for all which Fines the Overſeers of the Poor ſhall be accountable, yearly, to the Juſtices in their General Quarter-Seſſions of the Peace. And every Negro, Indian, or other Slaves that ſhall be found guilty of any of the aboveſaid Facts, or talk impudently to any Chriſtian, ſhall ſuffer ſo many Stripes, at ſome publick Place, as the Juſtice of the Peace, in ſuch Place, where ſuch Offence is committed, ſhall think fit, not exceeding forty; any Law, Cuſtom, or Uſage to the Contrary hereof, in any Wiſe notwithſtanding.

All Slaves, guilty as aforeſaid, or talking impudently to Chriſtians, ſhall be whip'd.

Confirm'd 15th *December*, 1709.

Repealed by Ch. 261, as to Deer, and provided for by Chap. 316.

CHAP. CLXXII.

An ACT *for the more effectual Preſervation of Deer, and other Game, and the Deſtruction of Wolves, Wild-Cats, and other Vermin.*

Paſs'd the 18th of September, 1708.

The Reward for deſtroying Wolves Wild-Cats, Foxes, Squirrels, Crows, & Black-birds, in the County of *Suffolk*, *Queens*, and *Kings* County.

I. BE it Enacted *by the Governor, Council, and General Aſſembly, and by the Authority of the ſame*, That from and after the Publication hereof, whatſoever Perſon or Perſons, Freeman or Slave, Chriſtian or Indian, ſhall deſtroy or kill any Wolf or Wolves, or their Whelp or Whelps, any Wild-Cat or Wild-Cats, their Catling or Catlings, any Fox or Foxes, their Puppy or Puppies, any Squirrels, Crows, and Black-birds, or their Young-ones, in the Counties of *Suffolk*, *Queens* County, and *Kings* County; ſhall have and receive, as a Reward for each Wolf ſo deſtroyed and killed, the Sum of *Five Pounds*, current Money of this Colony; and for every ſuch Whelp, under a Year old, ſo deſtroyed and killed, the Sum of *Fifty Shillings*, current Money aforeſaid; and

nd for each Wild-Cat and Fox, the Sum of *Three Shillings*; and for each their atlings, Puppies, or Cubs, *Eighteen Pence*; and for each Squirrel, *Three Pence*; nd for each Crow, *Three Pence*; and for every their Young-ones, *Two Pence*; nd for Black-birds, after the Rate of *Four Pence Half-penny* the Dozen; and heir Young-ones, *Three Pence* the Dozen: And that in the County of *Rich-ond*, for killing Wild-Cats, Foxes, Crows, and Black-birds, and their Young-nes, the like Price and Reward above-mentioned.

How to be paid.

II. AND, for the more effectual Payment of the ſaid Rewards, **Be it Enacted** *by the Authority aforeſaid*, That the ſame Rules, Courſes and Methods, Forfeiures and Penalties, be, and be uſed, in all and every Reſpect, as are enacted, mentioned, and expreſſed in an Act made in the firſt Year of her Majeſty's eign, entitled, *An* Act *for deſtroying of Wolves, within this Colony.*

The Time when Deers, Wild-Turkies, &c. may not be killed.

III. AND, for the Preſervation of Deer, and other Game, within the Counes of *Suffolk*, *Queens* County, and *Kings* County, aforeſaid, **Be it Enacted** *by e Authority aforeſaid*, That whoſoever, within the Counties laſt above-menoned, Chriſtian or Indian, Freeman or Slave, after the Publication hereof, hall kill or deſtroy any Buck, Doe, or Fawn, or any Sort of Deer whatſoever; ny Wild-Turkies, Heath-Hens, Partridges, or Quails, their Eggs or Youngnes, at any Time of the Year, except the Times and Seaſons herein after mentioned and expreſſed, *That is to ſay*, For Deer, between the firſt Day of *Auguſt*, and the firſt Day of *January*; and for Turkies, Heath-Hens, Partridges, nd Quails, between the firſt Day of *Auguſt*, and the firſt Day of *April*; ſhall orfeit and pay, for every ſuch Buck, Doe, Fawn, or other Deer, ſo killed or eſtroyed, as aforeſaid, the Sum of *Thirty Shillings*, lawful Money of *New-York*, r in Default thereof, ſuffer Impriſonment for the Term and Space of thirty ays, without Bail or Mainprize, unleſs, within that Time, he or they pay the orfeiture aforeſaid; and for every Wild-Turkey, Chicken, or Eggs, killed or eſtroyed, as aforeſaid, the Sum of *Five Shillings*, like current Money aforeſaid, r in Default thereof, ſuffer Impriſonment for the Space of five Days, as aboveid; and for everyHeath-Hen, Partridge, or Quail, their Eggs, or Young-ones, killed or deſtroyed, as aboveſaid, the Sum of *Two Shillings and Six Pence*, or wo Days and one Half's Impriſonment, as aforeſaid; one Half of all ſuch orfeitures ſhall be to him who ſhall proſecute and ſue for the ſame, before ny one of her Majeſty's Juſtices of the Peace, where ſuch Offence ſhall be ommitted, who is hereby authoriſed, impowered, and required to hear and etermine the ſame; and the other Half to the Poor of the reſpective County here any Perſon or Perſons ſhall be of ſuch Offence convicted.

The Penalty for killing them.

One Half of the Forfeiture to be to the Proſecutor, and the other Half to the Poor.

The Manner of convicting the Offenders.

IV. AND, for the better convicting of the Offenders in all, or any the Caſes boveſaid, **Be it Enacted** *by the Authority aforeſaid*, That whatſoever Perſon r Perſons with whom ſhall be found, or ſhall expoſe to Sale, any green Deerkins, freſh Veniſon, or Deers-Fleſh, Wild-Turkies, Heath-Hens, Partridges, r Quails, their Eggs, or Young-ones, at any other Time of the Year than hat is before excepted, ſhall be held, deemed, and judged guilty of the ſaid ffence, and be thereof convict, unleſs he or they ſhall proſecute and convict me other Perſon to have done the ſame; and that the ſame green Deer-Skins, eſh Veniſon, or Deers-Fleſh, Wild-Turkies, Heath-Hens, Partridges, or uails, their Eggs, and Young-ones, ſo found, as aforeſaid, or any other probable Circumſtance, at the Diſcretion of the Juſtice, before whom ſuch Offence all be tried, ſhall be held to be good Evidence in the Offences aforeſaid.

V. **And be it further Enacted** *by the Authority aforeſaid*, That if any uſtice of the Peace ſhall neglect or refuſe to hear and determine any of the aſes aforeſaid, according to the Rules and Directions before-mentioned, every

7th *ANNE*, A. D. 1708.

Penalty of the Juſtices neglecting their Duty.

ſuch Juſtice of the Peace, ſo neglecting or refuſing, as aboveſaid, ſhall forfeit for every ſuch Neglect or Refuſal, the Sum of *Three Pounds*, lawful Money of *New-York*, aforeſaid, to be recovered in any Court of Record, or other of her Majeſty's Courts within the ſame County, where ſuch Juſtice of the Peace doth belong, the one Half whereof to him who ſhall proſecute and ſue for the ſame, and the other Half to the Treaſurer of the County where the ſaid Offence ſhall be committed, and Proſecution made, to and for the Uſe of the ſame County.

Provided this Act ſhall not effect Chap. 151, except the Forfeiture for deſtroying Deer.

VI. **Provided**, That Nothing herein contained is intended, or ſhall be conſtrued, to repeal or alter one certain Act of Aſſembly, made for the Preſervation of Deer, in the Year of our Lord, One Thouſand, Seven Hundred, and Five, ſaving the Forfeiture for deſtroying of Deer; but the ſame Act, in every other Part thereof, is hereby confirmed.

Provided that the Reward for deſtroying Wolves ſhall be only £. 5 and for a Whelp 50 Shillings.

VII. **Provided always**, That the whole Reward for deſtroying of Wolves and their Whelps, is declared and intended to be only *Five Pounds* for a grown Wolf, and *Fifty Shillings* for each Whelp in the whole, the ſaid Act made in the firſt Year of her Majeſty's Reign, for deſtroying of Wolves, notwithſtanding.

CHAP. CLXXIII.

Repealed by the Queen, the 3d of *March*, 1708.

An ACT *for the regulating and preventing the Corruption of the Current Coin.*

Paſs'd the 6th of October, 1708.

CHAP. CLXXIV.

See Chap. 124. Confirm'd 15th *December*, 1709. Expir'd 6th of *October*, 1718.

An ACT *for reviving an Act of the General Aſſembly, of this Province, entitled* An *Act* againſt the forging, counterfeiting, and clipping of Foreign Coin which is current Money in the Colony of *New-York*.

Paſs'd the 6th of October, 1708.

CHAP. CLXXV.

Confirm'd 15th *December*, 1709. Obſolete.

An ACT *to enable the Superviſors of* Queens *County, to repair, or to rebuild the County Hall, and common Goal, for the ſaid City.*

Paſs'd the 6th of October, 1708.

CHAP. CLXXVI.

Repealed by Queen *Anne* 15th *December*, 1709.

An ACT *to relieve this Colony from diverſe Irregularities and Extortions.*

Paſs'd the 6th of October, 1708.

CHAP. CLXXVII.

Obſolete.

An ACT *for raiſing* Two Hundred and Fifty-three Pounds, and Sixteen Shillings, *to diſcharge the Lord* Cornbury *from his Contract with Mr.* Hanſen.

Paſs'd the 16th of October, 1708.

CHAP. CLXXVIII.

Repealed by Queen *Anne* 15th *December*, 1709.

An ACT *to enable the Mayor, Aldermen, and Commonalty of the City of* New-York, *to raiſe the Sum of* Six Hundred Pounds, *in two Years, for the Uſes therein mentioned.*

Paſs'd the 16th of October, 1708.

CHAP

7th *ANNE*, A. D. 1708.

CHAP. CLXXIX.

An ACT *for refunding* Seven Hundred and Eleven Pounds, Ten Shillings, and five Pence, *miſapply'd in the* Eighteen Hundred Pound *Tax*.
Paſs'd the 16th of October, 1708.

Repealed by a Clauſe in Ch. 256.

CHAP. CLXXX.

An ACT *for raiſing a Fund for defraying ſome extraordinary Charges that have happened in this Colony*.
Paſs'd the 30th of October, 1708.

Obſolete.

CHAP. CLXXXI.

An ACT *for preventing the Conſpiracy of Slaves*.
Paſs'd the 30th of October, 1708.

Confirm'd 15th *December*, 1709. Repealed, Ch. 560.

CHAP. CLXXXII.

An ACT *for the explaining an Act, entitled*, An *Act* for the laying out, regulating, clearing, and preſerving public common High-ways, throughout this Colony.
Paſs'd the 30th of October, 1708.

Confirm'd 15th *December*, 1709. Ch. 154, the Act explained is expired; this is OBSOLETE; but, Proviſion is made by Ch. 270.

CHAP. CLXXXIII.

An ACT *for the eaſier Partition of Lands in Jointenancy, or in Common*.
Paſs'd the 30th of October, 1708.

Confirm'd 15th *December*, 1709. Continued Ch. 310

8th *ANNE*, A. D. 1709.

JOHN Lord LOVELACE, Governor.

The Eighth ASSEMBLY.

FIRST SESSIONS.

No ACTS were paſs'd during the Adminiſtration of Lord LOVELACE.

RICHARD INGOLDESBY, Eſq; Lieutenant-Governor.

CHAP. CLXXXIV.

An ACT *to prevent the Tranſportation of Proviſions*.
Paſs'd the 24th of May, 1709.

Expir'd the firſt of *October*, 1709.

CHAP. CLXXXV.

An ACT *for regulating and eſtabliſhing Fees*.
Paſs'd the 24th of May, 1709.

Repealed by Queen *Anne*, 15th *December*, 1709.

CHAP.

8th *ANNE*, A. D. 1709.

Obſolete.

CHAP. CLXXXVI.

An ACT *for levying* Six Thouſand Pounds.

Paſs'd the 24th of May, 1709.

CHAP. CLXXXVII.

Revived, Ch. 201. *An* ACT *to prevent ſelling, or giving of Rum, or other Strong Liquors, to the Indians, in the County of* Albany.

Paſs'd the 24th of May, 1709.

CHAP. CLXXXVIII.

Obſolete.

An ACT *to detach Four Hundred and Eighty-ſeven Men, their Officers included, out of this Colony.*

Paſs'd the 6th of June, 1709.

Expir'd firſt of *June*, 1710.
Provided for by Chap. 215.

CHAP. CLXXXIX.

An ACT *for laying an Exciſe on all Liquors retailed in this Colony.*

Paſs'd the 6th of June, 1709.

Theſe Bills were limited to the laſt Day of February, 1710.

CHAP. CXC.

An ACT *for the Currency of Bills of Credit for* Five Thouſand Pounds.

Paſs'd the 8th of June, 1709.

Bills to be iſſued for £. 5000.

I. BE it Enacted *by the Lieutenant-Governor, Council, and General Aſſembly, and by the Authority of the ſame,* That Bills of Credit ſhall be iſſued forth to the Value of *Five Thouſand Pounds*, and no more; purſuant to the Currency of Money, ſpecified in an Act, paſſed this Seſſions, for the Raiſing of *Six Thouſand Pounds*; which Bills ſhall be in the Manner and Form following, *viz.*

The Form of the Bills.

This indented Bill of Shillings, *due from the Colony of* New-York, *to the Poſſeſſor thereof, ſhall be, in Value, equal to Money; and ſhall be accordingly accepted by the Treaſurer of this Colony, for the Time being, in all publick Payments, and for any Fund, at any Time, in the Treaſury, dated,* New-York, *Thirty-firſt of* May, *One Thouſand Seven Hundred and Nine; by Order of the Lieutenant-Governor, Council, and General Aſſembly, of the ſaid Colony.*

The Signers of the Bills.

Which Bills ſhall be ſigned by *Lawrence Reade*, *Robert Walters*, *John Depuyſter*, and *Robert Lurting*, or any Three of them; who are hereby appointed and directed to ſign and iſſue the ſaid Bills, for and towards the Diſcharging of ſuch Proviſions and Neceſſaries, bought for the ſaid Expedition; which Bills ſhall be received and taken for the ſame Value, and equal to the current Coin, paſſing in this Colony, for Goods bought or ſold; or in any Payments to be made for Debts contracted, or that ſhall be contracted; and the Tender of the ſaid Bills, for the Payment and Diſcharge of any Debt or Debts, Bargains, Sales, Bonds, Bills, Mortgages, and Specialties whatſoever, ſhall be as good and effectual in the Law, to all Intents, Conſtructions and Purpoſes, as if the current Coin of this Colony had been offered and tendered to any Perſon or Perſons whatſoever, for the Diſcharge of the ſame, or any Part thereof.

II. And

II. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Bills of Credit ſhall be printed and numbered, expreſſing, in every of them, the Sum of Money they ſhall be current for: And to prevent the Counterfeiting any of the ſaid Bills, they ſhall be dated, and indented on the Top thereof, with the Arms of the City of *New-York*, ſtamped, or printed on the left Side thereon, towards the Bottom of every of the ſaid Bills; and the Indent ſhall agree with, and ſuit a Counter-part thereof, bound in a Book for that Purpoſe, and ſubſcribed by the Parties herein appointed to do the ſame, to be kept by them, of the ſame Tenor and Date, and ſo near in Similitude, in all Circumſtances, as poſſible may be, to ſuch Bills of Credit that are iſſued, and made current, in Payment, as aforeſaid; Four Hundred of which ſaid Bills ſhall be for *Five Pounds*, each Bill; Six Hundred of them for *Forty Shillings*, each; Six Hundred of them for *Twenty Shillings*, each; One Thouſand of them for *Ten Shillings*, each; and Two Thouſand eight Hundred of them, for *Five Shillings*, each Bill; amounting to, in all, *Five Thouſand Pounds*; and delivered, by the Signers, (as ſoon as conveniently may be) to the Treaſurer of this Colony, for the Time being, to be, by him, paid for ſuch Proviſions and Neceſſaries, purchaſed towards the ſaid Expedition, purſuant to the Warrants of the Commiſſioners mentioned in an Act, entitled, *An* Act *for levying* Six Thouſand Pounds.

The Bills to be numbered and indented, and a Counter-part to be bound in a Book.

III. **Provided always**, and it is the true Intent and Meaning of this Act, That the ſaid Signers ſhall not ſign a greater Number of the ſaid Bills of Credit, than what ſhall amount to, or paſs, or be current, for more than *Five Thouſand Pounds*, current Money of this Colony.

The Signers to ſign no more Bills than ſhall amount to £. 5000.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That for the better Currency of the ſaid Bills, the Treaſurer of this Colony, for the Time being, ſhall, and is hereby required and directed, to take and receive all and every of the ſaid Bills, according to the Value therein expreſſed, with the proportionable Advance of *Two and a Half per Cent.* on all and every of the Bills that ſhall be offered and tendered to him, the ſaid Treaſurer, for any Money due for the firſt Payment of the ſaid *Six Thouſand Pound* Tax, and *Five per Cent.* on all and every of the Bills that ſhall be offered and tendred to the ſaid Treaſurer, for Money due for the ſecond Payment of the ſaid *Six Thouſand Pounds* Tax, and *Seven and a Half per Cent*; and all and every the ſaid Bills, that ſhall be offered and tendred to the ſaid Treaſurer, for Money due for the third and laſt Payment of the ſaid *Six Thouſand Pounds* Tax, and on his Receipt of every *Two Thouſand Pounds*, of the ſaid *Six Thouſand Pounds* Tax, he ſhall appoint the Commiſſioners that ſigned the ſaid Bills, to meet him, the ſaid Treaſurer; who are hereby required and directed to meet, and join with him, to examine and compare the ſaid Bills, and cancell the ſame; taking an Account of the Number and Value of the ſaid Bills ſo to be cancelled, as aforeſaid, and keep the ſame on File, in order to be further examined by the Governor, Council, or General Aſſembly, for the Time being, or ſuch as they ſhall appoint when ſitting, and requiring the ſame.

The Treaſurer to receive the ſaid Bills according to the Value therein expreſſed.

The Treaſurer to appoint the Commiſſioners to meet him, to cancel the Bills.

The Bills cancell'd to be kept on a File, to be examin'd by the Governor, &c.

V. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Commiſſioners or Signers, ſhall take an Oath before the Mayor of the City of *New-York*, for the Time being, in the Words following.

I L. R. *do, on the Holy Evengeliſt, ſincerely ſwear, that I will to the beſt of my Knowledge and Skill, truly, honeſtly, and faithfully diſcharge the Truſt repoſed in me, relating to, and concerning the ſigning and iſſuing Bills of Credit, mentioned in, and purſuant to the true Intent and Meaning of this Act: So help me* GOD.

The Signers Oath.

8th *ANNE*, A. D. 1709.

Counterfeiting the Bills, Felony, without Benefit of Clergy.

VI. **And be it further Enacted** *by the Authority aforesad*, That such Person or Persons, as shall be convicted of counterfeiting any of the said Bills of Credit, shall incur the Pains and Penalties of Felony, without Benefit of Clergy, and suffer accordingly.

The Time limited for the Currency of the Bills.

VII. **And be it further Enacted** *by the Authority aforesaid*, That the said Bills of Credit shall be current as aforesaid, between Man and Man, the Treasurer excepted only, until the last Day of *February*, which will be in the Year of our Lord One Thousand Seven Hundred and Ten, according to the English Account; and shall, and may be received by the Treasurer, until the last Day of *May*, then next following and no longer.

£. 5000, to be paid into the Treasury in Bills.

VIII. **And be it Enacted** *by the Authority aforesaid*, That *Five Thousand Pounds*, of the *Six Thousand Pounds*, to be raised by an Act for levying *Six Thousand Pounds* passed this Sessions, shall be paid to the said Treasurer, in the said Bills of Credit, and in no other Specie whatsoever.

CHAP. CXCI.

Obsolete.

An ACT *for levying* Four Thousand Pounds.

Pass'd the 21st of June, 1709.

CHAP. CXCII.

An ACT *to relieve Assessors.*

Pass'd the 21st of June, 1709.

See Chap. 159.

I. BE it Enacted *by the Lieutenant Governor, Council, and General Assembly, and by the Authority of the same*, That all and every Clause and Clauses, Matter and Thing mentioned, expressed, and implied in one Act of General Assembly, entitled, *An* Act *for raising the Sum of* Three Thousand Pounds *towards defraying the Expence of fortifying the City of* New-York, made in the Fifth Year of her Majesty's Reign, or in any precedent or subsequent Act or Acts of General Assembly, pass'd, impowering, or giving Jurisdiction to any Justice or Justices of the Peace, to inspect, take Cognizance, hear or determine of any Assessment, or Rate, made by any Assessor or Assessors, elected and chosen by the People, and sworn, for the rating and assessing the Estates, real and personal, of the Inhabitants of this Colony, in any City, Town, or Precinct within the same; or to fine or imprison any such Assessor or Assessors, under Colour of any undue, or partial Assessment, or Rate; are, and is hereby, from and after the fifth Day of *April*, in this present Year, Seventeen Hundred and Nine, repealed, abrogated, and declared null and void; any Custom or Usage to the Contrary hereof, in any wise notwithstanding.

All Acts impowering Justices of the Peace to take Cognizance of Assessments.

Or imprison an Assessors under Colour of a partial Assessment, after 5th of *April*, 1709.

To be void.

CHAP. CXCIII.

See Chap. 168.

Revived, Ch. 213.

An ACT *for reviving an Act of General Assembly, entitled*, An *Act* for the better settling the Militia of this Province, and making it more useful for the Security and Defence thereof.

Pass'd the 20th of September, 1709.

CHAP. CXCIV.

Continued, C. 218.

An ACT *for laying a Duty on the Tonnage of Vessels and Slaves.*

Pass'd the 24th of September, 1709.

CHAP.

8th *ANNE*, A. D. 1709.

CHAP. CXCV.

An ACT *to enable the Juſtices of the Peace to chuſe Aſſeſſors and Collectors, in Caſe of Death.*

Paſs'd the 24th of September, 1709.

BE it **Enacted** *by the Lieutenant Governor, Council, and General Aſſembly, and by the Authority of the ſame*, That when, and as often, or where the Aſſeſſors or Collectors ſhall die; every Manor, Town, Liberty or Precinct, within the reſpective Counties, are hereby required and directed, within ten Days after the Death of any Aſſeſſor or Collector, to chuſe others in their Stead and Place; and on Refuſal, Neglect, or Omiſſion, the Juſtices of the Peace, or any Two of them, for the Counties where ſuch Towns, Manors, Liberties, or Precincts are, are hereby required, impowered, and authorized to nominate and appoint Aſſeſſors and Collectors for ſuch Towns, Manors, Liberties, and Precincts; which Aſſeſſors and Collectors ſhall, to all Intents and Purpoſes, obſerve and do his and their Duties, as any other Aſſeſſors and Collectors are required and enjoined to do.

Upon the Death of any Aſſeſſors or Collectors, every Manor, &c. ſhall, within ten Days, chuſe others in their Place; and, in Caſe of Omiſſion they are to be nominated and appointed by the Juſtices.

CHAP. CXCVI.

An ACT *to prevent the Exportation of the Gold and Silver Coin out of this Province.*

Paſs'd the 24th of September, 1709.

Expir'd 24th *September*, 1711.

CHAP. CXCVII.

An Act *for reviving* An *Act* for encouraging of Seamen.

Paſs'd the 11th of October, 1709.

See Chap. 88.

Expir'd 11th *October*, 1711.

CHAP. CXCVIII.

An ACT *to prevent the Removal of Actions of* Twenty Pounds, *from the Mayor's Court of* New-York, *and other Courts.*

Paſs'd the 11th of October, 1709.

BE it **Enacted** *by the Lieutenant-Governor, Council, and General Aſſembly, and by the Authority of the ſame*, That there ſhall not be, after the Publication of this Act, any Removal by *Habeas Corpus*, or other Writ, of any Perſon, or of any Caſe, Action, or Suit, or Appeal, or Writ of Error, from any Judgment, or Execution, from any the Courts of the Mayor and Aldermen, in the Cities of *New-York*, and *Albany*, or Borough of *Weſt-cheſter*; or from any of the Courts of Common-Pleas, in any of the Counties of this Colony, in any perſonal Action, where the Matter in Demand, Suit, or Controverſy does not amount, in real Value, to upwards the Sum of *Twenty Pounds*, lawful Money of this Colony; *Provided* the Thing or Matter in Controverſy, do not bring in queſtion, or relate to the Right or Title of any Lands, Tenements, and Hereditaments in this Colony; any Law, Uſage, or Practice to the Contrary notwithſtanding.

No Action under £.20, to be removed from the Mayor's Courts of the Cities of *New-York* &c. or *Weſt-cheſter*; or any Court of Common-Pleas, in the Counties.

Provided it does not relate to the Title of Land.

II. **And be it further Enacted** *by the ſame Authority*, That where any Juſtice of the Peace, or other Perſons, are authorized to have Cognizance of Pleas of Debt or Treſpaſs, to the Value of *Forty Shillings*, and under, within this Colony, it ſhall and may be lawful for ſuch Juſtice, or other Perſon, to cauſe their Judgments or Sentences reſpectively to be put in Execution, by Warrant under their reſpective Hands and Seals, directed to the Conſtables of the

The Juſtices, or others, having Cognizance of Pleas, to the Value of 40*ſ.* may cauſe their Judgments to be put in Execution, either by Warrants to the Conſtables to

8th *ANNÆ*, A. D. 1709.

the Towns, Manors, or Diſtricts where the Parties, againſt whom the Judgment or Sentence is, or ſhall be given, do inhabit; or where their Bodies, Goods, or Chattels are to be found, at the Election of the Party recovering, either to levy the ſame by Sale of ſuch Party's Goods and Chattels, returning the Overplus (if any be) to the Owner; or by taking their Bodies, and committing them to the County-Goal, there to remain in cloſe and ſafe Cuſtody, till ſuch Judgment or Sentence ſhall be paid and ſatisfied.

levy the Debt by Sale of the Party's Goods; or committing him to Goal.

III. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Conſtables, reſpectively, are hereby authorized, commanded, and required to put ſuch Judgments and Sentences in Execution, according to the Tenor, Intent and Meaning of this Act: And the Sheriffs, Under-Sheriffs, and Goalers of the ſeveral Counties, reſpectively, are hereby authorized, commanded, and required to receive the Bodies of ſuch Parties, in their reſpective Goals, and them there, in cloſe and ſafe Cuſtody to keep, until ſuch Judgments and Sentences ſhall be ſatisfied and paid; any Law, Uſage, or Cuſtom to the Contrary hereof notwithſtanding.

The Conſtables to put ſuch Judgments in Execution; and the Sheriffs and Goalers to receive & keep the Parties in ſafe Cuſtody.

CHAP. CXCIX.

Obſolete.

An ACT *for levying diverſe Sums of Money, for the defraying the Charge of this Colony.*

Paſs'd the 11th of October, 1709.

CHAP. CC.

Obſolete.

An ACT *for the Treaſurer's paying certain Sums of Money.*

Paſs'd the 11th of October, 1709.

CHAP. CCI.

See Chap. 187. Revived, Ch. 232.

An ACT *for reviving an Act, entitled,* An *Act* to prevent ſelling or giving of Rum, or other Strong Liquors, to the Indians, in the County of *Albany*.

Paſs'd the 12th of November, 1709.

CHAP. CCII.

An ACT *to determine, ſettle, and aſcertain the Bounds and Limits of the County of* Orange.

Paſs'd the 12th of November, 1709.

I. **BE it Enacted** *by the Lieutenant-Governor, Council, and General Aſſembly, and by the Authority of the ſame*, That the County of *Orange* ſhall extend from the Limits and Confines of the Province of *New-Jerſey*, on the Weſt Side of *Hudſon*'s River, along the ſaid River, to the Line of the County of *Ulſter*; and Weſtward, ſo far as *Delaware* River: And that the laſt Clauſe, wherein *Wagachemeck* and *Great* and *Little-Miniſinck* is mentioned in an Act, entitled, * *An* Act *for the more regular Proceedings in the Elections of Repreſentatives for the ſeveral Cities and Counties, within this Province*, be, and is hereby repealed, made null and void; any Thing to the Contrary hereof, in any wiſe notwithſtanding.

The Bounds and Limits of the County of *Orange*.

* *See Chap.* 94.

A Clauſe in a former Act repealed.

II. **Provided, and it is hereby Enacted** *by the Authority aforeſaid*, That all Levies and Aſſeſſments, made before the eighteenth Day of *October*, Seventeen Hundred and Nine, ſhall be levied and paid in ſuch Manner as formerly, and as if this Act had not been made.

This Act not to affect Aſſeſſments made before the 18th *Octob.* 1709.

CHAP.

8th *ANNE*, A. D. 1709.

CHAP. CCIII.

An ACT *to repeal an Act of General Assembly, entitled,* An *Act* to oblige *Robert Livingston* to account, according to the Purport of an Act, entitled, *An* Act *appointing and enabling Commissioners to take and state the public Accounts of this Province.*

Pass'd the 12th of November, 1709.

See Chap. 98.

Private.

CHAP. CCIV.

§ *An* ACT *for the Currency of Bills of Credit for* Four Thousand Pounds.

† Pass'd the 1st of November, 1709.

CHAP. CCV.

An ACT *to regulate the Sale of Goods by public Outcry, Auction, or Vendue, in the City of* New-York.

Pass'd the 12th of November, 1709.

Lost, But provided for by Chap. 267.

CHAP. CCVI.

An Act *for levying* Ten Thousand Ounces *of Plate, or* Fourteen Thousand five Hundred Forty-five *Lyon Dollars.*

Pass'd the 12th of November, 1709.

Obsolete.

CHAP. CCVII.

An ACT *for the Currency of Bills of Credit for* Ten Thousand *Ounces of Plate, or* Fourteen Thousand five Hundred Forty-five || Lyon *Dollars.*

Pass'd the 12th of November, 1709.

The Interest of these Bills retrench'd by Ch. 222

|| *Equal to* £. 4000 *Currency.*

BE it **Enacted** *by the Lieutenant-Governor, Council, and General Assembly, and by the Authority of the same,* That Bills of Credit of *Ten Thousand* unces of Plate, or *Fourteen Thousand five Hundred and Forty-five Lyon* Dollars, all be current, pursuant to an Act, entitled, *An* Act *for levying* Ten Thousand *unces of Plate, or* Fourteen Thousand five Hundred and Forty-five Lyon *Dollars,* ssed this present Session; which Bills shall be in Manner following, *viz.*

Bills to the Value of 10,000 Ounces of Plate to be made.

This indented Bill of Ounces of Plate, or Lyon *Dollars, due from e Colony of* New-York *to the Possessor thereof, shall be, in Value, equal to Money;* Form of the Bills. *d shall be accepted accordingly, by the Treasurer of this Colony for the Time being, all publick Payments; and for any Fund, at any Time, in the Treasury, dated in ew-York, the first Day of* November, *One Thousand Seven Hundred and Nine, by der of the Lieutenant-Governor, Council, and General Assembly of the said Colony.*

Which Bills shall be signed by Capt. *Robert Walters,* Capt. *Robert Lurting,* pt. *Johannes Depeyster,* and Mr. *Johannes Jansen,* or any Three of them, no are hereby appointed and directed to sign and deliver the said Bills to the reasurer of this Colony, for the Time being, to be by him paid and issued, the Governor, Council, and Assembly shall direct; which Bills shall be

Signers of the Bills.

Who are to deliver them to the Treasurer.

This ACT, by the Minutes of Council, appears to have been passed by the whole Legislature; but the only Act to found with this Title is not signed by the Lieutenant-Governor: But we suppose Chap. 207, *to have been enacted the same Purpose, the Sums being the same in both; though this is recited as an Act passed in* Chap. 222.

Though this Act (being pass'd the 1st of November, 1709) *is here inserted after several Acts pass'd the 12th November, 1709, yet it is placed agreeable to the Order of the Minutes of Council; and the same is the Case of p. 211, and 212 post.*

8th *ANN*, A. D. 1709.

received and paid for the ſame Value, and equal to the current Coin paſſing in this Colony, for Goods, or any other Thing bought and ſold, in any Payment to be made whatſoever; and the Tender of the ſaid Bills, for paying and diſcharging of any Debt or Debts, and Demands whatſoever, as effectual in the Law, to all Intents and Purpoſes, as the Bills of Credit are, or ſhall be iſſued by an Act, entitled, *An* Act *for the Currency of Bills of Credit for* Four Thouſand Pounds, paſſed this preſent Seſſions.

Bills to be equal in Value to current Coin.

And Tender of them to be a legal Tender.

II. **And be it Enacted** *by the Authority aforeſaid*; To prevent counterfeiting any of the ſaid Bills, they ſhall be circumſtanced as the Bills of Credit are that are mentioned in, and made current by an Act, entitled, *An* Act *for the Currency of Bills of Credit for* Four Thouſand Pounds, paſſed this preſent Seſſions; and three Hundred of the Bills hereby intended to be iſſued, ſhall be for *Thirteen Ounces and Three Quarters* of Plate, or *Twenty Lyon* Dollars, every Bill: Three Hundred of the ſaid Bills ſhall be current for *Eleven Ounces* of Plate, or *Sixteen Lyon* Dollars, every Bill: Three Hundred of the Bills hereby deſigned to be current, ſhall be for *Five Ounces and a Half* of Plate, or *Eight Lyon* Dollars, each Bill; and *Three Hundred and Thirty-ſeven* of the Bills hereby deſigned to be current, ſhall be for *Two Ounces and three Quarters* of Plate, or *Four Lyon* Dollars; amounting to, in all, *Ten Thouſand Ounces* of Plate, or *Fourteen Thouſand Five Hundred and Forty-five Lyon* Dollars; to be delivered, by the ſaid Signers within a Month after the Publication of this Act, to the Treaſurer of the Colony for the Time being, to be by him iſſued, purſuant to the true Intent and genuine Meaning of an Act for the Treaſurer's iſſuing Bills of Credit to pay the preſent Debt of the Expedition to *Canada*, and other Uſes; to account to, and with the Governor, Council, and Aſſembly, for the Time being, of iſſuing the ſame, when, and as often as he ſhall be thereunto required.

Method to be taken to prevent their being counterfeited.

Number of them, and their reſpective Valuations.

The Bills to be deliver'd to the Treaſurer within one Month after Publication of this Act.

III. **And be it further Enacted** *by the Authority aforeſaid*; For making the Bills of Credit, hereby to be made current, the more effectually valuable, the Treaſurer of this Colony, for the Time being, is hereby required and enjoined to receive all and every the ſaid Bills, according to the Value therein expreſſed, with the Advance of *Two and a Half per Cent. per Annum*, on all or any of the ſaid Bills, that are and ſhall be current for *Ten Thouſand* Ounces of Plate, or *Fourteen Thouſand five Hundred and Forty-five Lyon* Dollars, from the Date of the ſaid Bills, to the Day the ſaid Treaſurer ſhall recieve them, for any Part of the *Ten Thouſand* Ounces of Plate, or *Fourteen Thouſand five Hundred and Forty-five Lyon* Dollars, raiſed by ſaid Act, entitled, *An* Act *for levying* Ten Thouſand *Ounces of Plate, or* Fourteen Thouſand five Hundred and Forty five *Lyon Dollars*. And the Treaſurer ſhall appoint the Signers to meet him; who are hereby required and directed to meet, and join with him, to examine and compare the ſaid Bills, and cancel them, taking an Account of the Number and Value of the cancelled Bills, and keep them to be further examined by the Governor, Council, and Aſſembly, for the Time being, or ſuch as they ſhall appoint.

The Treaſurer to receive the Bills according to their Value, with Advance of 2½ *per C. per Ann.* from the Date to the Time of the Receipt of ſuch Bills.

The Treaſurer to meet the Signers of the Bills, to compare and cancel them; and an Account of them to be kept and render'd.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Signers ſhall take an Oath, before the Mayor of the City of *New-York*, for the Time being, for their true ſigning and delivering the ſaid Bills of Credit, according to the true Meaning of this Act.

The Signers to take an Oath for the true ſigning and delivering the ſaid Bills.

V. **And be it alſo Enacted** *by the Authority aforeſaid*, That the ſaid Bills ſhall be current, as aforeſaid, until the laſt Day of *February*, which ſhall be in the Year of our Lord One Thouſand Seven Hundred and Thirteen, and no longer; and that the ſaid *Ten Thouſand* Ounces of Plate, or *Fourteen Thouſand five Hundred and Forty-five Lyon* Dollars, to be raiſed by the ſaid Act, entitled, *An* Act *for levying* Ten Thouſand *Ounces of Plate, or* Fourteen Thouſand five Hundred

The Bills to paſs current till the laſt of *February*, 1713.

The 10,000 Ounces of Plate to be paid in Bills to the Treaſurer.

undred and Forty-five Lyon *Dollars*, ſhall be paid to the Treaſurer in the ſaid ills of Credit, and in no other Specie whatſoever.

VI. **And be it further Enacted** *by the Authority aforeſaid*, That the ſeveral dvances to be allowed on the ſaid Bills, ſhall ceaſe and determine on all and very of them, from the Day any of them ſhall be paid to, and received by the reaſurer as aforeſaid, who is hereby required to indorſe the Day he received the id Bills, to prevent further growing Advance: And that ſuch Perſon or Perons as ſhall be convicted of counterfeiting any of the ſaid Bills, ſhall incur the ains and Penalties of Felony without the Benefit of Clergy, and ſuffer ccordingly.

Advances on the Bills to ceaſe on the Day they are paid to the Treaſurer.

Counterfeiting them, Felony without Benefit of Clergy.

VII. AND, for the further Encouragement of the Currency of the ſaid Bills f Credit, **Be it Enacted** *by the Authority aforeſaid*, That every ſix Months fter the Date of the ſaid Bills, when they are paid away, the Poſſeſſor ſhall e allowed, by the Perſon or Perſons that receive the ſame, at the Rate of *Two nd a Half per Cent. per Annum*; and ſo for each Bill reſpectively, for every Half Year, 'till they ſhall be paid in to the Collectors and Treaſurer, who ſhall llow the ſaid Intereſt, proportionably for the Dates, at *Two and a Half per ent. per Annum*, as aforeſaid.

Six Months after the Date and Payment of ſaid Bills, the Poſſeſſer of them allow'd 2½ *per C. per Annum*: And ſo in Proportion.

Treaſurer to pay ſuch Intereſt.

CHAP. CCVIII.

An ACT *for an Aſſignment to the Lady* Lovelace.

Paſs'd the 12th of November, 1709.

Private.

CHAP. CCIX.

An ACT *for the Treaſurer's iſſuing Bills of Credit to pay the preſent Debt of the Expedition to* Canada, *and other Uſes.*

Paſs'd the 12th of November, 1709.

Obſolete.

CHAP. CCX.

An ACT *for the better watching and guarding the City of* Albany.

Paſs'd the 12th of November, 1709.

Expir'd 12th *November*, 1710.

CHAP. CCXI.

An ACT *for confirming certain Lands unto Col.* Nicholas Bayard.

Paſs'd the 11th of November, 1709.

Private.

CHAP. CCXII.

An ACT *for the City and County of* Albany *to pay the Arrears due to their Repreſentatives, and for other Uſes.*

Paſs'd the 11th of November, 1709.

Expir'd 11th *November*, 1714.

GER-

9th *ANNÆ*, A. D. 1710.

GERARDUS BEEKMAN, Eſq; Preſident.

The Ninth ASSEMBLY.

FIRST SESSIONS.

ROBERT HUNTER, Eſq; Governor.

CHAP. CCXIII.

See Chap. 193. Reviv'd, Ch. 235.

An ACT *for reviving an Act of General Aſſembly, entitled,* An *Act* for the better ſettling the Militia of this Province, and making it more uſeful for the Security and Defence thereof.

Paſs'd the 30th of October, 1710.

CHAP. CCXIV.

See Chap. 66. Continu'd, Ch. 367

An ACT *for reviving an Act, entitled,* An *Act* for the regulating and returning able and ſufficient Jurors in Trials at Law.

Paſs'd the 30th of October, 1710.

CHAP CCXV.

Continu'd, Ch. 229

An Act *for laying an Exciſe on all Strong Liquors retailed in this Colony.*

Paſs'd the 30th of October, 1710.

CHAP. CCXVI.

An ACT *for the better Settlement and Aſſurance of Lands, in this Colony.*

Paſs'd the 30th of October, 1710.

The Poſſeſſion of any Lands, &c. from the 30th of *October*, 1700, to the firſt of *September*, 1713, without Claim by actual Entry, or Suit proſecuted to Effect, ſhall be deemed a good Title.

I. BE it Enacted *by the Governor, Council, and Aſſembly, and by the Authority of the ſame,* That every Perſon or Perſons, Bodies politick and corporate, Cities, or Towns, who by themſelves, their Tenants or Servants, or his or their Aſſignee or Aſſigns, Grantees, their Anceſtors, Predeceſſors, or others, under whom they claim, have been ſeized to their own Uſe or Uſes, or taken the Rents, Iſſues, and Profits of any Meſſuages, Houſes, Tenements, Lands, and Hereditaments whatſoever, in this Colony and Plantation, in his or their own proper Right, for the Term and Space of ten Years now laſt paſt, and ſhall ſo continue, whether in their own Perſons, their Heirs, Succeſſors, or Aſſigns, or by any other Perſon or Perſons under them, in Poſſeſſion, as aforeſaid, without any Claim, either by actual Entry, and Poſſeſſion thereupon continued, or Suit to be proſecuted to Effect, until the firſt Day of *September*, in the Year of our Lord Seventeen Hundred and Thirteen; ſhall, from and after the ſaid firſt Day of *September*, and for ever, be adjudged, deemed, and taken to be the true, rightful, and lawful Owner of ſuch Meſſuages, Houſes, Lands, Tenements, and

nd Hereditaments reſpectively, and ſhall and may have, hold, and enjoy the me; any Claim, Right, Title, Demand, or Pretence to the Contrary thereof, or from any Perſon or Perſons, Bodies politick and corporate whatſoever, any wiſe notwithſtanding.

II. **Provided**, That neither this Act, nor any Thing therein contained, all extend, or be conſtrued to the Prejudice or Bar of any Perſon or Perſons, ho ſhall, before the ſaid firſt Day of *September*, Seventeen Hundred and hirteen, commence any Suit for any Lands, Houſes, Tenements, or Here-taments in this Colony, and afterwards proſecute the ſame to Effect; nor to e Prejudice of any Mortgagee or Leſſee, whoſe Mortgage or Leaſe ſhall be corded in the Secretary's Office of this Colony, before the ſaid firſt Day of *ptember*, Seventeen Hundred and Thirteen.

This Act not to bar any Perſons who ſhall, before the firſt *September*, 1713, commence any Suit for any Lands, &c. and afterwards proſecute it to Effect.

III. **Provided alſo**, That neither this Act, nor any Thing therein contained, all be extended or conſtrued to the Prejudice or Hindrance of any Perſon or erſons, under Age of One and twenty Years, married Women, not of ſound ind, impriſoned, or beyond the Seas: Provided ſuch Perſon or Perſons, ithin Three Years after his or their coming to the Age of One and twenty ears, being unmarried, becoming of ſound Mind, Liberty, or Return into this lantation and Colony, do make their actual Entry, or bring their Suit, as foreſaid; otherwiſe to be utterly debarred and excluded from any Entry, Claim, uit, or Demand whatſoever.

Nor be conſtrued to the Prejudice of any Infants, &c. *Provided*, they make their Entry, or bring their Suits within three Years after their Imperfections removed.

IV. AND whereas by many Accidents, the Deeds and Writings relating to Eſtates, ſome Time have been, and may hereafter be deſtroyed, conſumed, and oſt, whereby the lawful and rightful Owner of any Lands, Meſſuages, Houſes, enements, and Hereditaments, may be expoſed to many doubtful, expenſive, nd vexatious Suits, and other Inconveniences; for the Preventing whereof, **Be it Enacted** *by the Authority aforeſaid*, That all and every Deed or Deeds, Conveyance or Conveyances, and Writings, relating to the Title or Property of ny Lands, Meſſuages, Tenements, or Hereditaments, within this Colony, hich have been already, or ſhall be hereafter executed, being duly acknow-edged and recorded in the Secretary's Office of the ſaid Colony, or in the County-Records, where ſuch Lands are ſituate and being; ſuch Deed or Writ-ng ſo recorded, or Tranſcript thereof, ſhall be good and effectual Evidence in ny Court of Record within this Colony, to all Intents and Purpoſes, as if the Original Deed or Deeds, Conveyance or Conveyances, and Writings, was or ere produced and proved in Court.

All Deeds and Conveyances acknowledged and recorded in the Secretary's-Office, or in the County Records where the Lands lie, or the Tranſcripts thereof; to be good Evidence.

V. **And be it further Enacted** *by the Authority aforeſaid*, That the *Dutch* Word *ONROERENDE*, and the Words *VASTE STAAT*, which are ommonly rendred into *Engliſh* by the Words *Immoveable* and *faſt Eſtate*, by hich, in the *Dutch* Language, is underſtood a real Eſtate, Houſes, Lands, nd Tenements, and other real Eſtate of Inheritance, and are uſed in any *Dutch* ntenuptial Contract, or Laſt-Will and Teſtament, or Deed or Deeds made in his Colony, and duly executed before Two or more credible Witneſſes, at any ime before the Publication of this Act, ought therefore to be underſtood of a *eal Eſtate*; and that the Parties who have or claim any Right to any real Eſtate, Part thereof, within this Colony, by Virtue of the aforeſaid *Dutch* Words, either of them, uſed in ſuch *Dutch* antenuptial Contracts, or Wills and eſtaments, or Deed or Deeds, as aforeſaid; ſhall and may enjoy the ſame, to is or their Heirs and Aſſigns for ever, in as full and ample a Manner, as if the eviſe, Deed, Grant, or Conveyance was made by the Words [*real Eſtate*, *ands*, or *Tenements*] and ſue for the ſame, in Her Majeſty's Courts within his Colony, and recover Poſſeſſion accordingly; any Law, Uſage, or Cuſtom the contrary hereof, in any wiſe notwithſtanding.

The *Dutch* Words *Onroerende* and *Vaſte Staat*, ſhall be conſtrued to ſignify *Real Eſtate*, and paſs a Fee.

9th *ANNÆ*, A. D. 1710.

The Act referred to, Chap. 124, expired.

Obſolete.

CHAP. CCXVII.

An ACT *to repeal a Clauſe in an Act, entitled,* An *Act* againſt forging, counterfeiting, and clipping of foreign Coin, which is current Money in the Colony of *New-York.* Paſs'd the 30th of October, 1710.

See Chap. 194. *Better Effected*, Chap. 230. Expired 1ſt *May*, 1711.

CHAP. CCXVIII.

An ACT *for continuing an Act for laying a Duty on the Tonnage of Veſſels and Slaves.* Paſs'd the 30th of October, 1710.

Expired 25th *November*, 1713.

CHAP. CCXIX.

An ACT *to prevent the Burning of Woods.* Paſs'd the 25th of November, 1710.

Expired 25th *November*, 1713.

CHAP. CCXX.

An ACT *for repairing the Block-houſes, Platforms, and other the Fortifications of the City of* Albany, *and Town of* Schenectada, *in the ſaid County.* Paſs'd the 25th of November, 1710.

Obſolete.

CHAP. CCXXI.

An ACT *to collect the Arrears of Taxes.* Paſs'd the 25th of November, 1710.

The Acts herein mentioned, are Ch. 204, *and* 207.

CHAP. CCXXII.

An ACT *to retrench the growing Intereſt of Bills of Credit.* Paſs'd the 25th of November, 1710.

No Intereſt to be allowed, received, or paid by the Treaſurer, or any other Perſon, on any Bills of Credit made in the Year 1709.

I. **BE it Enacted** *by the Governor, Council, and Aſſembly, and by the Authority of the ſame,* That from and after the Firſt Day of *November*, in this preſent Year, there ſhall not be allowed, received or paid, by the Treaſurer of this Colony, for the Time being, or by any other Perſon or Perſons whatſoever, any Intereſt, Increaſe, or Uſe, on any of the Bills of Credit, enacted to be current in this Colony, by Virtue of one Act of General Aſſembly, paſs'd in the Year of our Lord, Seventeen Hundred and nine, entitled, *An* Act *for the Currency of Bills of Credit for Four Thouſand Pounds*, or by Virtue of one other Act of General Aſſembly paſs'd in the ſame Year, entitled, *An* Act *for the Currency of Bills of Credit, for Ten Thouſand Ounces of Plate, or Fourteen Thouſand Five Hundred Forty-five Lyon Dollars*; any Thing in thoſe Acts, or any other Law or Statute to the Contrary hereof, in any wiſe notwithſtanding.

The Treaſurer for the Time being to render an Account of publick Monies coming to his Hands, to the Governor, &c.

II. **And be it hereby Declared and Enacted** *by the ſame Authority*, That Colonel *Abraham Depeyſter*, Treaſurer of this Colony, and every Treaſurer of this Colony for the Time being, is, and always ſhall be obliged and liable to render and give Account of all publick Levies coming to his or their Hands, to the Governor, Council, and Aſſembly when ſitting, and requiring the ſame.

CHAP.

9th *ANNE*, A. D. 1710.

CHAP. CCXXIII.

An ACT *to enable the Precinct of* Islip, *in the County of* Suffolk, *to elect two Assessors, a Collector, Constable and Supervisor.*

Pass'd the 25th of November, 1710.

The Inhabitants of *Islip* in *Suffolk* County, to chuse annually two Assessors and one Collector, To assess and collect Taxes. And one Constable & one Supervisor, to keep the Peace, and to audit the County Accounts.

BE it Enacted *by the Governor, Council, and Assembly, and by the Authority of the same*, That from and after the Publication of this Act, it shall and may be lawful, for the Inhabitants of the Districts and Precincts of *Islip*, in the County of *Suffolk*, on the South Side of *Long-Island*, from the Westermost Limits of the Land of *Thomas Willet*, to the Eastermost Part of the Lands of *William Nicoll*, near *Blue-Point*; and they are hereby impowered and required, annually to elect and chuse among them, two Assessors, and a Collector, to assess and collect such Taxes as shall be now, or hereafter laid or imposed on them; and a Constable and Supervisor, for keeping the Peace, and auditing their publick Accounts, at the usual Time the County of *Suffolk* hath or shall do.

The Tenth ASSEMBLY.

FIRST SESSIONS.

10th *ANNE*, A. D. 1711.

CHAP CCXXIV.

An ACT *for raising Forces to assist in the Expedition to* Canada. Obsolete.

Pass'd the 11th of July, 1711.

CHAP. CCXXV.

An ACT *to appoint Commissioners to purchase Provisions, and other Necessaries for the Expedition to reduce* Canada. Obsolete.

Pass'd the 26th of July, 1711.

CHAP. CCXXVI.

An ACT *to enable* Thomas Whitehead, *to sell and dispose of some Part of the Lands devised to him by his Father, under the Limitation of a general Intail.* Private.

Pass'd the 26th of July, 1711.

CHAP. CCXXVII.

An ACT *for levying the Sum of* Ten Thousand Pounds. Obsolete.

Pass'd the 26th of July, 1711.

CHAP. CCXXVIII.

An ACT *for the better rewarding of Volunteers on the present Expedition against* Canada, *to be levied in the Cities of* New-York *and* Albany, *and to pay off other Officers, and Uses relating to the same Expedition.* Obsolete.

Pass'd the 26th of July, 1711.

CHAP.

10th *ANNE*, A. D. 1711.

See Chap. 215. *Expired, but provided for* Ch. 263.

CHAP. CCXXIX.

An ACT *for continuing an Act, entitled,* An *Act* for laying an Exciſe on Strong Liquors retailed in this Colony.

Paſs'd the 26th of July, 1711.

See Chap. 218. Expired 1ſt *November*, 1713.

CHAP. CCXXX.

An ACT *for the more effectual putting in Execution an Act of General Aſſembly entitled,* An *Act* for laying a Duty on the Tonnage of Veſſels and Slaves.

Paſs'd the 26th of July, 1711.

CHAP. CCXXXI.

The Currency of theſe Bills was limited to the 1ſt of May, 1719. **Equal to* 10,000l. *Currency.*

An ACT *for the Currency of Bills of Credit for* Twenty-five Thouſand Ounces of * Plate.

Paſs'd the 26th of July, 1711.

Bills to the Value of 25,000 *Oz.* of Plate, to be made.

I. BE it Enacted *by the Governor, Council, and General Aſſembly, and by the Authority of the ſame,* That Bills of Credit be made to the Value of *Twenty-five Thouſand Ounces of coined Plate,* and no more; which Bills ſhall be in Manner following, *to wit.*

Form of the Bills of Credit.

This indented Bill of coined Plate, due from the Colony of New-York, *to the Poſſeſſor thereof, ſhall be in Value equal to Money, and ſhall be accepted accordingly by the Treaſurer of this Colony for the Time being, in all publick Payments, and for any Fund in the Treaſury. Dated in* New-York, *the Twentieth Day of* July, *One Thouſand Seven Hundred and Eleven. By Order of the Governor, Council, and General Aſſembly of the ſaid Colony.*

Perſons by whom the Bills are to be ſigned. The Bills to be delivered by them to the Treaſurer.

To be paid to ſuch as ſhall ſerve on the Expedition to reduce *Canada*, &c.

Treaſurer to account when required.

Bills to be equal in Value to current Coin.

Good Payment, and Legal Tender.

Which ſaid Bills of Credit ſhall be ſigned by Capt. *Robert Walters*, Col. *Robert Lurting*, and Capt. *John Depeyſter*; who are hereby appointed and directed, to ſign and deliver the ſaid Bills to the Treaſurer of this Colony for the Time being, on or before the firſt Day of *September*, which ſhall be in the Year of our Lord Seventeen Hundred and Eleven; to be by him paid to ſuch Men as are and ſhall ſerve in the preſent Expedition to reduce *Canada*, and other Charges and Expences attending the ſaid Expedition; and to account to the Governor, Council, and Aſſembly of this Colony for the Time being, of the Receipts and Payments of the Bills hereby made current, when, and as often as the ſaid Treaſurer ſhall be thereunto required; and the ſaid Bills ſhall be received and taken for the ſame Value, and equal to the current Coin paſſing in this Colony, for Goods bought or ſold, in any Payments to be made for Debts that are due, or that ſhall be contracted; and the Tender of the ſaid Bills, for the Payment and Diſcharge of any Debt or Debts, Bargains, Sales, Bonds, Mortgages, and Specialties whatſoever, ſhall be as good and effectual in the Law, to all Intents, Conſtructions, and Purpoſes, as if the current Coin of this Colony had been offered and tendered to any Perſon or Perſons whatſoever, for the ſame, or any Part thereof.

Bills to expreſs the Weight they ſhall be current for, and to be indented

II. And be it further Enacted *by the Authority aforeſaid,* That the ſaid Bills of Credit ſhall be printed and numbered, expreſſing, in every of them, the Weight of Plate they ſhall be current for: And to prevent counterfeiting any of the ſaid Bills, they ſhall be dated, and indented on the Top thereof, with the Arms of the City of *New-York* ſtamped or printed on the right Side thereon, towards the Bottom of every of the ſaid Bills; and the Indent ſhall pa[ſs] wit[h]

10th *ANNE*, A. D. 1711.

h and ſuit a Counter-part thereof, bound in a Book for that Purpoſe, and ſcribed by the Parties herein appointed to do the ſame, to be kept by them, he ſame Tenor and Date, and ſo like in Circumſtances as poſſible may be, uch Bills of Credit that are iſſued and made current in Payment, as aforeſaid. e Hundred of the ſaid Bills ſhall be for Twenty Ounces of Plate each : e Hundred of the ſaid Bills for Ten Ounces of Plate each : One Thouſand he ſame for Five Ounces each : Five Hundred of the ſame for Two Ounces an Half each : One Thouſand of the ſame for Two Ounces each : One ouſand of the ſame for an Ounce each : One Thouſand of the ſame for Half Ounce of Plate each ; and One Thouſand of the ſame for one Quarter of an nce of Plate each. *Provided always*, That the ſaid Signers ſhall not ſign a ater Number of the ſaid Bills of Credit, than what ſhall amount to, or paſs, be current for more than Twenty-five Thouſand Ounces of coined Plate ; the ſaid Bills of Credit be current, in Payment, after, or longer than the t Day of *May*, which will be in the Year of our Lord, Seventeen Hundred Nineteen.

And ſuit with their reſpective Counterparts bound in a Book.

Number and Valuations of the ſaid Bills.

Signers not to ſign more than ſhall amount to 25,000 *Oz.* of Plate.

The Currency of the Bills, limited to the firſt of *May*, 1719.

III. **And be it further Enacted** *by the ſame Authority*, That the ſaid Signers ll, and are hereby required to take an Oath before the Mayor of the City of *w-York*, for the Time being, for the true Signing and Delivery of the ſaid ls of Credit, as aforeſaid, according to the genuine Intent and true Meaning this Act.

An Oath to be taken by the Signers before the Mayor of *N. York*.

IV. **And be it alſo Enacted** *by the ſame Authority*, That the *Ten Thouſand unds*, to be raiſed by an Act, entitled, *An* Act *for raiſing the Sum of* Ten houſand Pounds, paſſed this preſent Seſſions, ſhall be paid to the ſaid Treaer in the ſaid Bills of Credit, by the Collectors thereof, and in no other ecie whatſoever. And, for the better and more effectual ſinking and cancelg the ſaid Bills of Credit, as they are paid unto the Treaſurer, every Collector, the Payment of the Taxes and Levies, by Virtue of the ſaid Act, ſhall, and hereby required and obliged to indorſe on the Back of the Bills he ſhall ſpectively pay unto the Treaſurer, purſuant to this Act, the Date of the Payent ſo made ; from which Time the ſaid Bills, ſo indorſed, ſhall be no rther current in this Colony ; and every Collector neglecting or failing to ake ſuch Indorſement, or do the Duty required of him by this Act, ſhall forit and pay *Five Pounds* for every ſuch Offence ; the one Half to our ſovereign dy the Queen, to be paid to the ſaid Treaſurer towards the Support of the overnment, the other Half to be to the Informer, who ſhall inform and ſue the ſame, in any of the Courts of Juſtice in this Colony.

Money, raiſed by another Act, to be paid to the Treaſurer, in Bills of Credit.

Collectors of thoſe Monies to indorſe the Dates of their reſpective Payments to the Treaſurer.

The Bills to be no longer current after the Date indorſed.

Collectors deficient in this Article, to forfeit £. 5, one Half to the Queen, the other Half to the Informer.

V. **And be it Enacted alſo** *by the ſaid Authority*, That ſuch Perſon or Perſons ho ſhall be convicted of counterfeiting any of the ſaid Bills of Credit, ſhall cur the Pains and Penalties of Felony, without the Benefit of Clergy, and ffer accordingly : And every Perſon or Perſons that deny or refuſe to take or ceive any of the ſaid Bills of Credit, ſhall forfeit and pay the one eighth Part the Bill or Bills ſo denied or refuſed, as aforeſaid ; the one Half to her ajeſty, to be paid to the Treaſurer, towards the Support of this Government, d the other Half to the Informer that will inform, and ſue for the ſame, in y Court of Record in this Colony.

Perſons counterfeiting the Bills to incur the Pains of Felony without Clergy.

Perſons refuſing to take ſuch Bills, to forfeit one Eighth.

VI. **And be it further Enacted** *by the Authority aforeſaid*, That Lyon Dollars d half Dollars ſhall be received, and be of equal Value to Thirteen Pennyeight and eighteen Grains of coined Plate aforeſaid, for each Dollar.

A Lyon Dollar equal to 13 Penny-weight 18 Grains of coin'd Plate.

10th *ANNE*, A. D. 1711.

CHAP. CCXXXII.

See Chap. 201. Revived, Ch. 239.

An ACT *for reviving an Act, entitled,* An *Act* to prevent ſelling or giving of Rum, or other Strong Liquors to the Indians, and to prevent the Embezzeling any of the Cloathing, Arms, or Accoutrements, ſent by her Majeſty for the Service of the preſent Expedition.

Paſs'd the 26th of July, 1711.

CHAP. CCXXXIII.

Obſolete.

An ACT *for the Security and Defence of this Colony during the Expedition to* Canada.

Paſs'd the 26th of July, 1711.

CHAP. CCXXXIV.

Obſolete.

An ACT *to authoriſe the ſurviving Commiſſioners for the Expedition to reduce* Canada, *to act, and purſue the Powers committed to them, as fully as if Capt.* John Depeyſter, *deceaſed, were ſtill alive; and to make Proviſion, in Caſe of the Death of any other of the Commiſſioners.*

Paſs'd the 5th of November, 1711.

CHAP. CCXXXV.

See Ch. 213. Revived, Ch. 258.

An ACT *reviving an Act, entitled,* An *Act* for the better ſettling the Militia of this Province, and making it more effectual for the Defence and Security thereof.

Paſs'd the 24th of November, 1711.

CHAP. CCXXXVI.

An ACT *to prevent the Impairing the Fortifications.*

Paſs'd the 24th of November, 1711.

Perſons convicted of impairing the Fortifications, are liable to Puniſhment, Fines, &c.

I. **Be it Enacted** *by the Governor, Council, and Aſſembly, and by the Authority of the ſame,* That any Perſon or Perſons, who ſhall be convicted by the Oath of one credible Witneſs, before any Juſtice of the Peace in this Colony, who is hereby authoriſed and required, to hear and determine the ſame; of demoliſhing, ſpoiling, or impairing any Part of the Fortifications that now are, or hereafter ſhall be made and erected in this Colony, ſhall ſuffer ſuch Puniſhment by Fine or Impriſonment, as to ſuch Juſtice of the Peace in his Diſcretion ſhall appear proportionable to the Offence.

All Fines levied by this Act, to be applied to repairing the Fortifications.

II. **And be it further Enacted** *by the ſame Authority,* That all ſuch Fines which ſhall be impoſed and levied by Virtue of this Act, ſhall be paid unto the Treaſurers of the Cities and Counties reſpectively, where ſuch Fortifications are or ſhall be made or erected, and be diſpoſed and applied towards the upholding and repairing the Fortifications reſpectively, where ſuch Offence ſhall be committed, and not otherwiſe.

CHAP. CCXXXVII.

Obſolete.

An ACT *for raiſing Two Thouſand eight Hundred Fifty-five Ounces of Plate.*

Paſs'd the 24th of November, 1711.

CHAP.

10th *ANNE*, A. D. 1711.

CHAP. CCXXXVIII.

Obsolete.

An ACT *for the Treasurer's paying Three Thousand seven Hundred and Fifty Ounces of Plate, to his Excellency.*

Pass'd the 24th of November, 1711.

CHAP. CCXXXIX.

An ACT *for reviving an Act, entitled,* An *Act* to prevent the selling or giving of Rum, or other Strong Liquors, to the Indians in the County of *Albany*.

See Chap. 232. Revived, Ch. 244.

Pass'd the 24th of November, 1711.

CHAP. CCXL.

Obsolete.

An ACT *to oblige the Manors, in the County of* West-chester, *to pay their Arrears of Taxes.*

Pass'd the 24th of November, 1711.

11th *ANNE*, A. D. 1712.

CHAP. CCXLI.

An ACT *to encourage the Making of Linseed Oyl.*

Pass'd the 6th of June, 1712.

Expir'd the 6th of *June*, 1722.

CHAP. CCXLII.

Obsolete.

An ACT *for paying Eight Thousand and Twenty-five Ounces of Plate, to his Excellency.*

Pass'd the 6th of June, 1712.

CHAP. CCXLIII.

Obsolete.

An ACT *for paying the Arrears due to the Forces, late raised in the County of* Suffolk, *for the Expedition against* Canada, *in the Year Seventeen Hundred and Nine.*

Pass'd the 26th of June, 1712.

CHAP. CCXLIV.

An ACT *reviving an Act, entitled,* An *Act* to prevent the selling or giving of Rum, or other Strong Liquors, to the Indians in the County of *Albany*; *and for reviving an Act, entitled,* An *Act* for the better watching and guarding the City of *Albany*.

See Chap. 239. Expir'd the first of *June*, 1713. Provided for by Chap. 317. See Chap. 210.

Pass'd the 26th of June, 1712.

CHAP. CCXLV.

Private.

An ACT *for prohibiting all Persons, except* John Parmyter, *and his Assigns, to make Lampblack, during the Space of five Years.*

Pass'd the 26th of June, 1712.

CHAP. CCXLVI.

Obsolete.

An ACT *for paying the* British *Officers.*

Pass'd the 26th of June, 1712.

CHAP.

11th *ANNE*, A. D. 1712.

Obſolete.

CHAP. CCXLVII.

An ACT *for paying Fifteen Hundred Ounces of Plate, for ſecuring of the Frontiers about* Albany.

Paſs'd the 26th of June, 1712.

The Tenth ASSEMBLY.

SECOND SESSIONS.

CHAP. CCXLVIII.

Obſolete.

An ACT *for paying the reſpective Dues in Arrear, and to be collected.*

Paſs'd the 10th of December, 1712.

CHAP. CCXLIX.

Obſolete.

An ACT *for the Treaſurer's paying Two Hundred and Fifty Ounces of Plate, to his Excellency ; and that Col.* Peter Schuyler's *Receipt ſhall diſcharge the Treaſurer for* One Hundred Pounds, *formerly allowed him.*

Paſs'd the 10th of December, 1712.

CHAP. CCL.

Explain'd, &c. by Chap. 341. Repealed, Ch. 560.

An ACT *for preventing, ſuppreſſing, and puniſhing the Conſpiracy and Inſurrection of Negroes, and other Slaves.*

Paſs'd the 10th of December, 1712.

CHAP. CCLI.

Confirm'd by K. *George* I, 24th of *October*, 1717. Private.

An ACT *to enable* William Anderſon, *to ſell a Lot of Ground in* Queen's-Street, *the Eſtate of the ſaid* William, *in Right of* Deborah *his Wife, deceaſed, for the Payment of Debts, contracted by his ſaid Wife, before their Intermarriage.*

Paſs'd the 10th of December, 1712.

CHAP. CCLII.

Obſolete.

An ACT *to appoint Commiſſioners to examine and ſtate ſeveral Claims alledged as Debts of the Government.*

Paſs'd the 10th of December, 1712.

CHAP. CCLIII.

Private.

An ACT *to enable* Mary Brat, *the Widow of* Johannes Brat, *late of the County of* Albany, *to diſpoſe of his Lands and Tenements, for Payment of his Debts, and educating his Children.*

Paſs'd the 10th of December, 1712.

CHAP. CCLIV.

Obſolete.

An ACT *that certain Monies, levied on the Inhabitants of* Kings *County, remaining in the Hands of Collectors, be paid to the Treaſurer of that County.*

Paſs'd the 10th of December, 1712.

11th *ANNE*, A. D. 1712.

CHAP. CCLV.

An ACT *for the better Repairing the Fortifications of the City of* Albany, *and Town of* Schenectady, *and providing their military Watches with Firewood.*

Expir'd the first of *October*, 1715.

Pass'd the 10th of December, 1712.

CHAP. CCLVI.

An ACT *for making good the publick Credit, given by an Act of General Assembly, made in the first Year of her Majesty's Reign, for raising* Eighteen Hundred Pounds, *for the Uses therein mentioned, and for discharging the remaining Part of the Money still due on the Sum advanced upon the Credit of the said Act, with the Interest thereof.*

Obsolete.

Pass'd the 10th of December, 1712.

CHAP. CCLVII.

An ACT *for electing or appointing four Assessors in the City and County of* Albany.

This Act is to elect Persons in the Stead of others deceased, and is Obsolete.

Pass'd the 10th of December, 1712.

CHAP. CCLVIII.

An ACT *for reviving an Act, entitled,* An *Act* for the better settling the Militia of this Province, and making it more useful for the Security and Defence thereof, and for repealing all former Acts heretofore made in this Province relating to the same.

See Chap. 235. Revived, Ch. 260.

Pass'd the 10th of December, 1712.

The Eleventh ASSEMBLY.

FIRST SESSIONS.

12th *ANNE*, A. D. 1713.

CHAP. CCLIX.

An ACT *for a Supply to be granted to her Majesty, for supporting the Government.*

Obsolete.

Pass'd the 1st of July, 1713.

CHAP. CCLX.

An ACT *for reviving and continuing an Act, entitled,* An *Act* for the better settling of the Militia of this Province, and making it more useful for the Security and Defence thereof, and for repealing all former Acts heretofore made in this Province relating to the same.

See Ch. 258, Revived, Ch. 296.

Pass'd the 1st of July, 1713.

CHAP. CCLXI.

An ACT *for repealing Part of a Clause in an Act, entitled,* An *Act* for the more effectual Preservation of Deer, and other Game, and the Destruction of Wolves, Wild-Cats, and other Vermin.

See Chap. 172.

Pass'd the 1st of July, 1713.

12th *ANNE*, A. D. 1713.

Private. Loſt.

CHAP. CCLXII.

An ACT *to impower* Frederick Philipſe, *a Minor, to remove* King's-Bridge *to a more commodious Place, and for confirming the Toll thereof.*

Paſs'd the 1ſt of July, 1713.

Confirmed the 17th *June*, 1715. Continued Chap. 261. and by Chap. 676, to the firſt of *November*, 1757.

CHAP. CCLXIII.

An ACT *for laying an Exciſe on all Strong Liquors retailed in this Colony.*

Paſs'd the 15th of July, 1713.

It appears by the Minutes of Council, the 19th of April, 1725, *that this Act was then miſſing. This is printed from* Bradford's *Edition.*

I. **Be it Enacted** *by the Governor, Council, and General Aſſembly, and by the Authority of the ſame,* That there ſhall be given and granted unto her Majeſty, her Heirs and Succeſſors, from the firſt Day of *November*, which ſhall be in the Year of our Lord One Thouſand Seven Hundred and Fourteen, until the firſt Day of *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Thirty-four, for the Uſes herein after mentioned, an Exciſe upon all Strong Liquors retailed throughout this Colony, under the Quantity of *Five Gallons*, (Beer and Cyder only excepted) *to wit.* the Eighth Part of an Ounce of *Sevil*, *Pillar*, or *Mexico* Plate, for each Gallon ſo retailed; and likewiſe three Quarters of an Ounce of the ſaid Plate, for every Barrel of Beer and Cyder.

The Exciſe to be let to farm to the higheſt Bidder.

II. **And be it further Enacted** *by the Authority aforeſaid,* That the Mayor and Aldermen of the City of *New-York*; the Mayor, Aldermen, and Juſtices of the Peace of the City and County of *Albany*; and the Juſtices of the Peace of the other Counties within this Colony, to which they belong, or the major Part of them for the Time being, are hereby required, authoriſed and impowered, to let to farm the aforeſaid Exciſe, in their reſpective Cities and Counties, by publick Outcry, Auction or Vendue, yearly and every Year, on the firſt Tueſday in *October*, or ſome other Day in that Week, in which the ſaid firſt Tueſday ſhall happen, to the higheſt Bidder, or to the ſeveral Retailers of ſuch Liquors, in each reſpective City, Town, Borough, Manor or Precinct, as the ſaid Mayors, Aldermen, and Juſtices of the Peace reſpectively, in their Diſcretions, ſhall think fit, for the better Advancement of the Duty and Exciſe hereby to be granted and levied; publick Notice being firſt given, of the Time ſuch farming is appointed to be made, by affixing Advertiſements thereof, in the moſt publick Places in each reſpective City, Town, Manor and Precinct, ten Days at leaſt, before ſuch Auction or Vendue is made. And the ſaid Mayors, Aldermen, and Juſtices of the Peace, as aforeſaid, are hereby required to take

Security to be taken from the Farmers of the Exciſe.

good Securities by Recognizances, with ſufficient Sureties, of all and every Perſon or Perſons that ſhall farm the Exciſe, as aforeſaid, with Condition, that they pay the ſame quarterly, by equal and even Payments, into the Hands of the Treaſurer of this Colony for the Time being; who is hereby appointed to receive the ſame: And alſo, after two Months after the ſame Exciſe, or any Part thereof, ſhall be let to farm, or agreed for, to tranſmit to the Treaſurer, a true Account of the ſame reſpectively, with the Recognizances for the due Payment thereof, according to the Intent of this Act.

III. **And be it further Enacted** *by the Authority aforeſaid,* That if any, or either of the ſaid Mayors, Aldermen, or Juſtices of the Peace, as aforeſaid, ſhall neglect, deny or refuſe, to let to farm the aforeſaid Exciſe, in Manner aforeſaid,

aforeſaid, or to put this Act in Execution, ſo far as they are required and impowered, according to the true Intent and Meaning hereof; that then, he or they ſo offending, ſhall each of them reſpectively forfeit unto her Majeſty; her Heirs and Succeſſors, the Sum of *Fifty Pounds*, current Money of *New-York*; to be recovered in any of her Majeſty's Courts within this Colony, by any Perſon or Perſons, who will and ſhall inform and ſue for the ſame, by Action of Debt or Information; the one Half of which Forfeitures to be to her Majeſty, her Heirs and Succeſſors, to be paid in to the Treaſurer, and applied towards the Support of the Government; and the other Half to the Informer.

Penalty on Magiſtrates for Neglect of their Duty.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That where there ſhall be no Farmer of the Exciſe in Manner before expreſſed, the Mayors, Aldermen, and Juſtices of the Peace of the ſeveral Cities and Counties reſpectively, ſhall and may, either agree with the Retailers whom they reſpectively ſhall liſence, at leaſt for the higheſt of ſuch Sum or Sums, by the Year, as ſuch Retailer or Retailers, at any Time formerly had, or have paid, to be paid *into* the *Treaſurer* quarterly, as aforeſaid; or otherwiſe to make ſuch Retailer or Retailers enter into Recognizance, with ſufficient Sureties, for the true and due Payment of the Exciſe herein before appointed, to be paid and granted according to the true Meaning hereof.

The Juſtices may agree with the Retailers of Strong Liquors.

V. AND for the due and orderly collecting the Exciſe hereby given and granted; **Be it further Enacted** *by the Authority aforeſaid*, That all Retailers of ſtrong Liquors within this Colony, ſhall, upon all their Receipts of all ſuch Liquors before expreſſed, and exciſeable, come to the Farmer of the Exciſe, (if any be) or to the Mayor, Aldermen, or Juſtices of the Peace reſpectively; and on Default thereof, all ſuch Liquors as ſhall be found in any Retailer's Houſe or Ware-Houſe, Cellar, or other Place belonging unto him, her or them, within this Colony, and have not been duly entered, and paid the Duties of Exciſe, as aforeſaid; then, and in ſuch Caſe, upon Conviction, by Oath of one or more credible Witneſſes, before any Juſtice of the Peace within this Colony, the ſaid Retailer or Retailers, ſo offending in the Premiſſes, ſhall forfeit all ſuch Liquors, and three Times the Value thereof; the one Moiety to her Majeſty, her Heirs and Succeſſors; to be paid to the Treaſurer of this Colony for the Time being, for, and to be applied towards the Support of this Government; and the other Half to the Perſon that will ſue for the ſame, before any Juſtice of the Peace in this Colony; who is, and every of them are, hereby required and impowered, ſummarily, and at his Diſcretion, ſolely to hear and determine the ſame, and to iſſue his Warrant for ſeizing all ſuch Liquors to be forfeited, as aforeſaid, and for committing to the common Goal, all ſuch Retailers of Liquors, who have not entered and paid the Duties aforeſaid, and ſhall be ſo convicted thereof; there to remain without Bail or Mainprize, until they ſhall ſatisfy, and make Payment of three Times the Value of ſuch Liquors ſeized and forfeited, as aforeſaid; as alſo for arreſting, and cauſing to be brought before him, any Perſon or Perſons informed againſt, for retailing without Licence; Provided he, her or they, have Liberty to appeal to the next Seſſions of the Peace, giving ſufficient Security to anſwer the ſame.

Retailers ſhall enter their Strong Liquors, and pay the Duties.

Forfeiture for Neglect.

VI. **And be it further Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons within this Colony, not duly licenſed, ſhall, either by Land or Water, at any Time preſume to ſell by retail, any Strong Liquors; *that is to ſay*; any Quantity under *Five Gallons*, as aforeſaid; the Perſon or Perſons ſo offending, ſhall pay the Sum of *Five Pounds*, current Money aforeſaid, for every ſuch Offence, being thereof convicted in Manner aforeſaid; to be applied and paid as aforeſaid.

Penalty for ſelling Liquor without Licence.

VII. **And**

12th *ANNE*, A. D. 1713.

Penalty for ſelling to Negroes.

VII. **And be it further Enacted** *by the Authority aforeſaid*, That no Retailer of Strong Liquors within this Colony, ſhall ſell any Strong Liquors to any Negro or Indian Slave, under the Penalty of *Forty Shillings*, for every ſuch Offence; to be recovered before any one of her Majeſty's Juſtices of the Peace, by him or her that ſhall ſue for the ſame; and to be applied as aforeſaid.

No Proſecutor to compound, or make Abatement.

VIII. **And be it further Enacted** *by the Authority aforeſaid*, That no Perſon or Perſons enabled to ſue for any Penalty, by Virtue of this Act, ſhall compound, remit, or make any Abatement of or for any of the Penalties herein mentioned, but that the ſame may be proſecuted to Effect, and paid and applied as herein before expreſſed.

The Value of Lion Dollars.

IX. **And be it alſo Enacted** *by the Authority aforeſaid*, That Lion Dollars, and Half Dollars, ſhall be received, and be of equal Value to Thirteen Penny Weight and Eighteen Grains of *Sevil*, *Pillar*, and *Mexico* Plate, as aforeſaid, for each Dollar, for the Duty hereby intended to be raiſed.

Mayor, &c. of the Borough of *Weſtcheſter*, to have the ſame Power as the Mayor, &c. of *New-York*.

X. **And be it further Enacted** *by the ſame Authority*, That the Mayor and Aldermen of the Borough Town of *Weſtcheſter*, are hereby impowered and required, to let to farm the Exciſe of the Borough Town, in the ſame Manner, and under the ſame Regulations, as the Mayor and Aldermen of the City of *New-York*, or the Mayor and Aldermen of the City of *Albany*, are by this Act impowered, directed and required to do.

Exciſe to be applied to pay the publick Debts.

XI. **And be it further Enacted** *by the Authority aforeſaid*, That all and ſingular the Monies ariſing by Virtue of this Act, during the whole Time aforeſaid, ſhall be applied to and for the Paying and Diſcharging the publick Debts of this Colony, ſuch, and in ſuch Manner as ſhall be directed and aſcertained in an Act of General Aſſembly for that Purpoſe hereafter to be made: And if it ſhall ſo happen, that the ſaid Exciſe ſhall amount to more than will pay and diſcharge the publick Debts of this Colony aforeſaid; that then, and in ſuch Caſe, the Sum that remains over and above, in the Hands of the Treaſurer aforeſaid, after ſuch publick Debts ſhall be fully paid and diſcharged, ſhall be applied to the Uſe of this Colony, in ſuch Manner, and to ſuch Purpoſes, as the Governor, Council, and General Aſſembly, for the Time being, ſhall direct, and not otherwiſe.

CHAP. CCLXIV.

See Chap. 263, and 272. Loſt.

An ACT *for continuing an Act, entitled*, An *Act* for laying an Exciſe on all Strong Liquors retailed in this Colony.

Paſs'd the 23d of October, 1713.

CHAP. CCLXV.

Obſolete.

An ACT *for the Treaſurer's paying ſundry Sums of Money to ſeveral Perſons hereafter named.*

Paſs'd the 23d of October, 1713.

CHAP. CCLXVI.

Obſolete.

An ACT *for the Treaſurer's paying the Sum of* One Hundred and Twenty five Ounces of Plate, *unto* Peter Van Brugh *and* Hendrick Hanſen, *Eſqrs. Commiſſioners at* Albany.

Paſs'd the 23d October, 1713.

CHAP.

12th *ANNE*, A. D. 1713.

CHAP. CCLXVII.

An ACT *for laying a Duty on Goods sold by Auction, Vendue, or Outcry.*

Pass'd the 23d of October, 1713.

Obsolete. Provided for by Chap. 294.

CHAP. CCLXVIII.

An ACT *to oblige the County of* Ulster, *to satisfy what that County is in Arrear to Col.* Jacob Rutsen, *and* Adrian Gerritse, *Esqrs.*

Pass'd the 23d of October, 1713.

Obsolete.

CHAP. CCLXIX.

An ACT *for mending and keeping in repair, the Post-Road from* New-York *to* King's-Bridge.

Pass'd the 23d of October, 1713.

Revived Ch. 390.

CHAP. CCLXX.

An ACT *for the further laying-out, regulating, and better clearing publick Highways throughout this Colony.*

Pass'd the 23d of October, 1713.

A Proviso in this Act, is repealed, *by* Chap. 372. Continued 386.

CHAP. CCLXXI.

An ACT *for* Dutchess *County to elect a Supervisor, a Treasurer, Assessors and Collectors.*

Pass'd the 23d of October, 1713.

Lost.

CHAP. CCLXXII.

An ACT *to take away Doubts and Scruples relating to the Letting of the Excise.*

Pass'd the 31st of October, 1713.

See Chap. 264. Lost.

CHAP. CCLXXIII.

13th *ANNE*, A. D. 1714.

An ACT *for levying and paying the several Duties therein mentioned, for the Use of this Colony.*

Pass'd the 20th of June, 1714.

Expir'd the first of *June*, 1716.

CHAP. CCLXXIV.

An ACT *for licensing Hawkers and Pedlars within this Province for four Years.*

Pass'd the 20th of June, 1714.

Revived Ch. 355.

CHAP. CCLXXV.

An ACT *for collecting and paying to the County Treasurer, the Arrears of Taxes in the County of* Richmond, *for defraying the publick and necessary Charge of the same County.*

Pass'd the 20th of June, 1714.

Obsolete.

13th *ANNE*, A. D. 1714.

Private.

CHAP. CCLXXVI.

An ACT *to relieve* Samuel Steel, *Commander of the Ship* Benjamin, *and all others concerned in the ſaid Ship and Cargoe, from the Duty of Seven and an Half* per Cent. *impoſed by an Act of Aſſembly made in the 12th Year of her Majeſty's Reign.*

Paſs'd the 20th of June, 1714.

CHAP. CCLXXVII.

See Chap. 170. Revived Ch. 423. Repealed by Chap. 547. *and therein provided for*

An ACT *for reviving an Act of General Aſſembly of this Province, entitled,* An *Act* to prevent Damages by Swine in the County of *Weſtcheſter*, Queen's County, and the County of *Richmond.*

Paſs'd the 20th of June, 1714.

CHAP. CCLXXVIII.

Expired the firſt of *July* 1715.

An ACT *for a Supply to be granted to her Majeſty, for ſupporting the Government for the enſuing Year.*

Paſs'd the 6th of July, 1714.

1ſt GEORGE I. A. D. 1714.

Obſolete.

CHAP. CCLXXIX.

An ACT *for the Treaſurer's paying to his Excellency, a Sum of Money for Preſents to the* Five Nations of Indians, *and for his Expences in going to* Albany, *to treat with them.*

Paſs'd the 6th of Auguſt, 1714.

CHAP. CCLXXX.

Confirmed 17th of *June*, 1715. Explained by Chap. 291. Proviſion for exchanging the torn Bills, Ch 450. Currency of theſe Bills continued by Chap. 631.

An ACT *for paying and diſcharging the ſeveral Debts and Sums of Money claimed as Debts of this Colony, to the ſeveral Perſons therein named, and to make and enforce the Currency of Bills of Credit, to the Value of* Twenty Seven Thouſand Six Hundred and Eighty Pounds, *for that Purpoſe; alſo to make void all Claims and Demands made, or pretended to be due from this Colony before the firſt Day of* June, *One Thouſand Seven Hundred and Fourteen, and to prevent this Colony from being in Debt for the Future.*

Paſs'd the 4th of September, 1714.

It appears by the Minutes of Council, of the 19th of April, 1725, *that this Act was then miſſing, and it is ſtill loſt; but this is copied from the* London *Edition, examined with* Bradford's.

Preamble.

WHEREAS there are ſeveral Perſons who claim Sums of Money, as due to them from this Colony, for Services formerly done, or Money and Effects advanced by them for the neceſſary Service thereof, by Directions from the former Governors of this Colony, or thoſe who have executed the Authority of the ſame; for many of which Sums of Money, Warrants have been drawn by the ſaid Governors, by and with the Conſent of the Council of this Colony, upon the Collector and Receiver-General for the Time being, payable out of ſuch Funds or Sums of Money, as have from Time to Time been raiſed and paid by the Subjects inhabiting this Colony, for the Support of the Government of the ſame; which Warrants nevertheleſs, have not been complied with, nor the Claimants paid; but great Part of the Funds and Sums aforeſaid, miſapplied, and extravagantly expended, by ſome of the former Governors of this Colony, contrary to the true Intent for which ſuch Sums were raiſed; which Miſapplication, unjuſt and extravagant Expending of the Revenue given by the loyal Subjects aforeſaid, to her Majeſty, and to her Royal Predeceſſors, Kings and Queens of *England*, ſufficient for the honourable, as well as neceſſary Support of their Government here; has in a great Meaſure ſunk the Credit of the ſaid Government; diſcouraged and diſabled the Subjects inhabiting

1ſt GEORGE I. A. D. 1714.

inhabiting therein, from raiſing ſuch Supplies as they would otherwiſe be inclinable to do, and has occaſioned the Demands now made by moſt of the Claimants aforeſaid, for the Services done, and Sums of Money advanced by them; which, if not complied with in ſome Meaſure, will be the utter Ruin and Undoing of many of the ſaid Claimants, and prove a great and irreparable Loſs to moſt of them: And although this Colony, in ſtrict Juſtice, is in no Manner of Way obliged to pay or diſcharge many of the ſaid Claims, having from Time to Time provided Sums ſufficient to have prevented moſt of the ſaid Demands, had the ſaid Sums been duly applied; yet, in Regard many of the Warrants drawn as aforeſaid, have paſſed in the Nature of Bills of Credit, and many of her Majeſty's Subjects would be great Sufferers, if not relieved: Therefore, in order to diſcharge the ſaid Claims, reſtore the publick Credit, and fix it on ſuch a Foundation as will be moſt conducive to the Service of † her Majeſty, and her Royal Succeſſors, as well as the Good of her Subjects inhabiting this Colony, and to ſettle and quiet the Minds of the ſame, bury all Strifes, Animoſities, and Diviſions, that might otherwiſe ariſe, for, about, or concerning any of the ſaid Claims, as well as in tender Commiſeration of the Condition of many of the Claimants, who, without any Act of General Aſſembly, are wholy Remedileſs;

I. **Be it Enacted** *by the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the Sum of *Twenty-ſeven Thouſand Six Hundred and Eighty Pounds*, be, by the Treaſurer of this Colony, paid to the ſeveral Perſons hereafter named, their Executors, or Aſſigns, in ſuch Manner as is hereafter expreſſed; *That is to ſay*;

The Sum of £. 27,680, to be paid to the Perſons mentioned in this Act.

[*Here follow the ſeveral Payments to be made to the Perſons mentioned in this Act, which being undoubtedly made, and being private in their Nature, we thought it unneceſſary to publiſh them.*]

II. AND for the better and more effectual preventing of the Paying over again, or undue Payment of all or any of the Sums above mentioned, or of any Part thereof; **Be it Enacted** *by the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That all and every the Perſons above-named, their Executors, Adminiſtrators, or Aſſigns, ſhall, on the receiving of the ſeveral and reſpective Sums directed to be paid them, as aforeſaid, ſign a Receipt on the Back, or ſome Part of each Account or Warrant, in theſe Words;

The Receipt to be given by the Perſons paid, on the Back of the Warrant.

I A B. *do acknowledge to have received full Satisfaction for the Money claimed by the above, or within Warrant or Account; as Witneſs my Hand.*

IN which Receipt, ſhall be mentioned the Circumſtance of the Receiver, whether Executor, Adminiſtrator, or Aſſign; which Warrants and Accounts, ſhall, by the Claimers of any of the Sums of Money aforeſaid, their Executors, or Aſſigns, be delivered to the Treaſurer of this Colony, and by him carefully numbred and kept; and Accounts of them, and the Dates, together with the Sums demanded and paid, ſhall be fairly entred in a Book for that Purpoſe, by the ſaid Treaſurer to be kept; to each of which, the Perſons claiming or receiving the Money, ſhall ſign a Receipt, as aforeſaid, and ſhall alſo make Oath in the following Form:

The Warrants to be numbred, and kept by the Treaſurer, and Accounts of them entered in a Book, to each of which, the Perſons receiving the Money, ſhall ſign a Receipt

The Oath to be taken by the Perſons receiving Money from the Treaſurer.

I A. B. *have not, directly nor indirectly, formerly received the Sum now to be paid me, or any Part thereof, or any Conſideration of any kind whatſoever, for the Services mentioned in the Warrant or Account for which I am directed to be paid by the General Aſſembly of this Colony, nor any other Perſon for me, or by my Privity, Conſent, or Procurement; nor do I know or believe, that the ſaid Sum, or any Part thereof, or any Conſideration, hath been paid or given to any Perſon whatſoever, for the Services therein mentioned:* So help me GOD.

Which

† *The Demiſe of the Queen, at the Paſſing of this Act, was not known here.*

1ſt *GEORGE* I. A. D. 1714.

To be adminiſtred by the Treaſurer.

Which Oath, the Treaſurer of this Colony for the Time being, is impowered, appointed, directed, and required to adminiſter, to the ſeveral Perſons aforeſaid, or to their Executors, Adminiſtrators, or Aſſigns, before their receiving of any of the ſaid Sums, as aforeſaid, and not otherwiſe to pay any of the Sums mentioned aforeſaid, or any Part thereof, to any Perſon demanding the ſame, and refuſing to ſign Receipts, and make Oath, as before directed.

Perſons living remote, may take the Oath before a Juſtice of the Peace.

III. **Provided always**, That whereas ſeveral Perſons directed to be paid by this Act, live remote from the Habitation of the Treaſurer aforeſaid; **Be it therefore Enacted** *by the Authority aforeſaid*, That any Perſon directed by this Act to be paid any Sum of Money, every ſuch Perſon may take the Oath before mentioned, before any of her Majeſty's Juſtices of the Peace in the Colony, who are hereby impowered to adminiſter the ſame; which being certified by the Oath of any one Witneſs preſent at the Time of adminiſtring the ſaid Oath, and hearing the ſame, unto the Treaſurer aforeſaid, the ſaid Treaſurer ſhall pay any of the Sums aforeſaid, and take Receipts, as aforeſaid.

The Governor only to declare upon Honour.

IV. **Provided alſo, and it is hereby Enacted**, That his Excellency ROBERT HUNTER, Eſq; ſhall only declare upon his Word and Honour, that the Sum mentioned in this Act, is truly, and *bona fide*, due to him, and that he hath not received any Payment or Conſideration for the ſame, or any Part thereof.

Any Perſon claiming Money by Warrant, before paid, to repay the Sum received, and be fined in the full Sum ſo claimed.

V. **And it is further Enacted** *by the Governor, Council, and General Aſſembly, and by the Authority of the ſame*, That any Perſon or Perſons, having given in any Warrant or Account to the Commiſſioner for ſtating of the publick Accounts, or to the Clerk of the General Aſſembly, and ſhall hereafter make Oath before the Treaſurer of this Colony, or any Juſtice of the Peace, as by this Act is before directed; and if it ſhall afterwards happen to be made appear, either by the Oath of two credible Witneſſes, or by Receipts or Accounts under the Hand of the Perſon or Perſons aſſigning, transferring, delivering over, bringing, ſending, or claiming of the Sums mentioned in ſuch Warrant or Account, or any Part thereof, or by the Minutes of Council, or Books of Accounts of or belonging to the Auditor, Deputy-Auditor, Receiver, or Receiver-General, or Commiſſioner, or Commiſſioners for executing the Office of Receiver-General, or by any Manner of Ways or Means whatſoever; that the Sums mentioned in ſuch Warrants or Accounts, and claimed as a Debt due from this Colony, have been paid and diſcharged, either in Whole, or in Part, before ſuch Claims made, or Oath taken; every ſuch Perſon who hath aſſigned, transferred, delivered over, bought, or ſent any ſuch Warrant or Account, or claimed the Sum mentioned by the ſaid Account to be due, or any Part thereof, or receiving any of the Sums appointed by this Act to be paid, as aforeſaid, or any Part thereof, and knowing that the ſaid Sum, or any Part thereof, hath been paid before; ſhall repay the Sum received, and be fined to her Majeſty, her Heirs and Succeſſors, in the full Sum ſo claimed, to be applied towards the Support of the Government of this Colony.

Bills to be printed to the Value of £. 27,680.

VI. AND for the better and more ſpeedy and effectual Payment of the ſeveral Sums before mentioned, and other the Sums appointed to be paid by this Act; **Be it Enacted** *by the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That Bills of Credit to the Value of *Twenty-ſeven Thouſand Six Hundred and Eighty Pounds*, ſhall be printed; *that is to ſay*; Five Hundred Sixty-eight Bills, of Twenty-five Ounces of Plate, or *Ten Pounds* Value each; Five Hundred Bills, of Eighteen Ounces Fifteen Penny Weight of Plate, or *Seven Pounds Ten Shillings*, Value each; Seven Hundred Bills,

Bills, of Fifteen Ounces of Plate, or *Six Pounds* Value each; Seven Hundred and Twenty Bills, of Twelve Ounces Ten Penny Weight of Plate, or *Five Pounds* Value each; One Thouſand Bills, of Seven Ounces Ten Penny Weight of Plate, or *Three Pounds* Value each; Eight Hundred Bills, of Six Ounces Five Penny Weight of Plate, or *Two Pounds Ten Shillings* Value each; Eight Hundred Bills, of Three Ounces Fifteen Penny Weight of Plate, or *One Pound Ten Shillings* Value each; Ten Hundred Bills, of Three Ounces Two Penny Weight, and Twelve Grains of Plate, or *One Pound Five Shillings* each; Twelve Hundred Bills, of One Ounce Seventeen Penny Weight and Twelve Grains of Plate, or *Fifteen Shillings* Value each; Fifteen Hundred Bills, of One Ounce Ten Penny Weight of Plate, or *Twelve Shillings* Value each; Two Thouſand Bills, of Fifteen Penny Weight of Plate, or *Six Shillings* Value each; Four Thouſand Bills, of Seven Penny Weight and Twelve Grains of Plate, or *Three Shillings* Value each: Upon which Bill, ſhall be impreſſed on the Left Side of the ſaid Bills, about the Middle of the Side, the Arms of the City of *New-York*; and the ſaid Bills ſhall be in the Form following, *viz.*

Form of the Bills.

THIS indented Bill, of ------ Ounces of Plate, or ------ due from the Colony of New-York, *to the Poſſeſſor thereof, ſhall be in Value equal to Money, and ſhall be accepted accordingly, by the Treaſurer of this Colony for the Time being, in all publick Payment, and for any Fund at any Time in the Treaſury. Dated in* New-York, *the firſt Day of* July, *One Thouſand Seven Hundred and Fourteen, by Order of the Governor, Council, and General Aſſembly.*

The Signers of the Bills.

WHICH Bills ſhall be ſign'd and numbered by *Robert Walters*, Eſq; *Robert Lurting*, Eſq; *David Provooſt*, Eſq; and *John Cruger*, Eſq; or any three of them; and in Caſe of the Death of any the ſaid Perſons, the ſaid Bills ſhall be ſign'd and numbred by the major Part of the Perſons above mentioned, then alive. Which Bills of Credit to be made and iſſued out by Virtue of this Act, ſhall be, and continue current for and during the Space and Time of Twenty-one Years, and ſhall be received and paid for the ſame Value, and equal to the current Coin paſſing in this Colony, for Goods, or any other Thing bought and ſold by all Perſons whatſoever, reſiding and paſſing through this Colony, according to their Rates, and the Tender of the ſaid Bills for Payment, or diſcharging of any Debt or Debts, Bargain, Sale of Land, or other Things, Bonds, Mortgages, Specialties, and Contracts whatſoever, ſhall be as effectual in the Law, to all Intents and Purpoſes, as if the current Coin in this Colony had been offered and tendred for the Diſcharge of the ſame, or any Part thereof.

To be current for 21 Years.

VII. **And be it further Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons, Creditor or Creditors, Obligee or Obligees, and Party or Parties to any Contract, Covenant, Bargain, or Agreement whatſoever, already made, or hereafter to be made, at any Time during the ſaid Twenty-one Years, ſhall, upon Tender of all or any their Debts, Dues, and Demands whatſoever, or any Part of them, in the Bills of Credit made current by this Act; refuſe to accept or receive the ſaid Bills of Credit in Diſcharge of the ſaid Debts, Dues, or Demands, or any Part of them, according to their Value and Rates; he, ſhe, or they, ſo refuſing to accept the ſaid Bills of Credit in Diſcharge, as aforeſaid, ſhall loſe the ſaid Debt or Debts, Sum or Sums of Money, or ſuch Part of the ſame, ſo refuſed; and they and every of them, their and every of their Heirs, Executors, or Adminiſtrators, ſhall for ever be barred from bringing his, her, or their Action for the Recovery of the ſaid Debt or Debts, Sum or Sums of Money, ſo refuſed, as aforeſaid; and the Defendant may plead this Act in Bar to any Action or Actions that ſhall be ſo commenced.

Perſons refuſing to accept the ſaid Bills, to loſe their Debts.

1ſt *GEORGE* I. A. D. 1714.

No Perſons expoſing to Sale, Lands or Chattels, to aſk a greater Value unleſs paid in Gold or Silver, than if paid in Bills.

VIII. **And be it further Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons whatſoever, within this Colony, ſhall, during the ſaid Twenty one Years, offer to ſell, or expoſe to Sale, any Goods or Chattels, Lands or Tenements whatſoever, and deny or refuſe to ſell, or ask a greater Value for the ſame, unleſs Payment be made in current Silver Money, Gold Plate, Dollars, or other Species whatſoever, and not in the ſaid Bills of Credit, (whereby the Credit of the ſaid Bills may be impaired) then, and in ſuch Caſe, the Perſon ſo expoſing to Sale, and refuſing, as aforeſaid; ſhall, if the Goods or Chattels expoſed to Sale, be under the Value of *Five Pounds*, Forfeit the Sum of *Forty Shillings* for each Offence, to be recovered before any Juſtice of the Peace within this Colony, upon the Oath of any Two Witneſſes; and if the Value of the Goods or Chattels, Lands and Tenements, be above *Five Pounds*, and under *Fifty Pounds*, the Expoſer to Sale ſhall forfeit the Sum of *Five Pounds*; and if the Goods or Chattels, Lands or Tenements, be above the Value of *Fifty Pounds*, and under *One Hundred Pounds*, the Expoſer to Sale ſhall forfeit the Sum of *Ten Pounds*; and if the Value of the Goods or Chattels, Lands or Tenements, be above *One Hundred Pounds* Value, the Expoſer to Sale ſhall forfeit *Fifty Pounds*; to be recovered by Action of Debt, in any Court of Record within this Colony, with Coſt of Suit; the firſt Forfeiture to the Uſe of any Perſon that ſhall ſue for, the ſame; the other three Forfeitures, the one Half thereof to the Uſe of ſuch Perſons as ſhall ſue for and proſecute the ſame to Effect; the other Half to the Uſe of the Queen, her Heirs and Succeſſors, to be applied towards the Support of the Government of this Colony; any Law, Cuſtom, or Uſage to the Contrary, in any wiſe notwithſtanding.

The Forfeiture.

The Oath to be taken by the Signers.

IX. **And be it Enacted** *by the Authority aforeſaid*, That the Perſons appointed for the Signing of the ſaid Bills of Credit, ſhall take an Oath before any one Juſtice of the Peace of this Colony, for the true Signing and Delivering of all the ſaid Bills of Credit, and no more than the Number mentioned in this Act, to the Treaſurer of this Colony, according to the true Intent and Meaning of this preſent Act.

The Value of the Bills to be printed on the Top.

X. **And be it Enacted** *by the Authority aforeſaid*, That the Quantity of Plate that each Bill ſhall be current for, and the Value of the ſame, be printed on the Top of each Bill.

The Reward to be paid to the Signers.

XI. **And be it Enacted** *by the Authority aforeſaid*, That *Robert Walters*, *John Cruger*, *Robert Lurting*, and *David Provoſt*, Eſqrs, appointed hereby to ſign the Bills of Credit made current by this Act, ſhall, for ſuch their Service, have paid unto each of them, or each of their Executors, or Aſſigns, by the Treaſurer aforeſaid, in Bills of Credit made current by this Act, the Sum of *Fifty Pounds*, as a Reward for their Trouble, in ſigning and numbring the Bills aforeſaid.

Counterfeiting the Bills, Felony, without Benefit of Clergy.

XII. **And be it Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons whatſoever, ſhall preſume to counterfeit any of the ſaid Bills of Credit, he, ſhe, or they, being convicted thereof, ſhall incur the Pains and Penalties of Felony, without Benefit of Clergy, and ſhall ſuffer accordingly.

How the Bills are to be ſunk.

XIII. And that the ſaid Bills of Credit may be truly and *bona fide* ſunk, as the Fund ariſing by Virtue of an Act, entitled, *An Act for laying an Exciſe on all Strong Liquors retailed in this Colony*, is paid unto the Treaſurer of this Colony for the Time being; **Be it Enacted** *by the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That *Robert Walters*, *John Cruger*, *David Provoſt*, and *Robert Lurting* aforeſaid, or the major Part of them living, or that ſhall be living, ſhall twice yearly and every Year, *viz.* on the firſt Day of *June*, and on the firſt Day of *December*, audit the Accounts of the Money received

received by Virtue of the Act aforesaid; and shall within one Week thereafter, affix Advertisements in the most publick Places of the City of *New-York*, setting forth what Quantity of Money hath been received, and is in the Treasurer's Hands by Virtue of the Act aforesaid; which Money shall, by the Treasurer aforesaid, be given in Exchange for Bills of Credit made current by this Act, to any Person or Persons bringing in the same; and the said Bills of Credit shall, on or before the Expiration of one Month after the Time of such Audit, be sunk and destroyed, in Presence of *Robert Walters*, *Robert Lurting*, *John Cruger*, and *David Provost*, or the major Part of them then alive, appointed by this Act to audit the Accounts of the said Treasurer, having first compared the said Bills of Credit with their Counterparts, and entred into a Book, to be kept for that Purpose, the Number and Value of such Bill of Credit so sunk and destroyed: But if it so happen, that all, or any Part of the Sums arising by Virtue of the Act aforesaid, shall be paid unto the Treasurer of this Colony in Bills of Credit aforesaid; that then, and in such Case, the said Bills shall be sunk in Manner aforesaid, immediately after the said Account of the Treasurer is audited, and publick Notice shall be given of the Value of the Bills so sunk and destroyed, as also of the Quantity of Money in his Hands (if any be) within the Time before prescribed.

XIV. **It is also Enacted** *by the Authority aforesaid*, That the Treasurer shall receive no other Bills of Credit for the Funds arising by Virtue of the Act before mentioned, than those made current by this Act, until all the said Bills shall be sunk; any Thing to the contrary in this or in any other Act notwithstanding.

XV. **And be it Enacted** *by the Authority aforesaid*, That the now Treasurer of this Colony shall, within one Month after the Publication of this Act, take the following Oath, *viz.*

The Treasurer's Oath.

I A. B. *appointed Treasurer of the Colony of* New-York, *will faithfully and truly discharge the Trust reposed in me, as Treasurer of the same: I will not issue, or cause to be issued or paid, any Money that now is, or may hereafter come into my Hands, as Treasurer aforesaid, otherwise than is, or shall be directed by an Act or Acts of the General Assembly of this Colony; and I will keep true and faithful Accounts of all the Money or Effects that has been, is, or may come into my Hands, or be issued or paid by Virtue of any such Acts, with the Times of my receiving and paying of the same.* So help me GOD.

XVI. AND in Case of the Death or Removal of the now Treasurer of this Colony, the Treasurer for the Time being, to be nominated and appointed by the General Assenbly of this Colony, shall, upon his taking upon himself the Office of Treasurer aforesaid, take the Oath before mentioned; to be administred by any one of her Majesty's Council, or any Justice of the Peace in this Colony, who are hereby impowered, directed, appointed, and required to do the same; and any Treasurer neglecting or refusing to take such Oath, shall be disabled from executing that Trust; and any of her Majesty's Council, or Justices of the Peace, refusing to administer the said Oath, when by the Person appointed Treasurer of this Colony required to do the same; shall, for every such Refusal, forfeit the Sum of *Five Pounds*; to be recovered by the said Person appointed Treasurer, or any other Person that will sue for the same, in any Court of Record within this Colony, wherein there shall be no Essoign, Protection, or Wager of Law, or any more than one Imparlance; and the said Treasurer shall notwithstanding execute the said Office of Treasurer; any Thing in this Act to the Contrary in any wise notwithstanding: And each of the Auditors appointed by this Act, to audit and examine the Accounts of the said Treasurer, with Relation to the Money received by Virtue of the Act aforesaid, entitled, *An Act for laying an Excise on all Strong Liquors retailed in this Colony*; and to see, compare, and sink the Bills of Credit as by this Act is directed, shall take the following Oath, *viz.*

By whom to be administred.

I A. B.

1ſt GEORGE I. A. D. 1714.

The Auditor's Oath.

I A. B. *appointed to audit and examine the Accounts of the Treaſurer of this Colony, will truly, faithfully, and impartially, examine and audit the ſaid Accounts, and compare and ſink the ſaid Bills of Credit, as directed in an Act, entitled,* An *Act* for the Paying and Diſcharging the ſeveral Debts and Sums of Money claimed as Debts of this Colony, to the ſeveral Perſons therein named; and to make and enforce the Currency of Bills of Credit to the Value of *Twenty-ſeven Thouſand Six Hundred and Eighty Pounds*, for that Purpoſe; alſo to make void all Claims and Demands made or pretended to be due from this Colony, before the firſt Day of *June*, in the Year of our Lord One Thouſand Seven Hundred and Fourteen; and to prevent this Colony from being in Debt for the future: *And will truly and faithfully do and perform, according to my beſt Skill and Ability, every Thing directed and appointed by the before mentioned Act, for me, as Auditor, to do and perform.* So help me GOD.

Perſons neglecting to demand of the Treaſurer the Sum appointed to be paid them, or to take the Oath within 12 Months after the Queen's Aſſent, to be debarred.

XVII. **And be it further Enacted** *by the Authority aforeſaid*, That any Perſon or Perſons, who ſhall neglect or refuſe to demand of the Treaſurer aforeſaid, the Sum or Sums of Money appointed by this Act to be paid to him, her, or them, and to take the Oath appointed by this Act to be taken by the Claimers or Receivers of the Sum or Sums of Money ſo demanded or received, within Twelve Months after her Majeſty's Royal Aſſent to this Act is ſignified in this Colony; every ſuch Perſon ſo neglecting or refuſing, ſhall for ever hereafter be precluded and debarred from receiving any of the ſaid Sums appointed by this Act to be paid them.

The Reward to be paid to the Auditors.

XVIII. **And be it further Enacted** *by the Authority aforeſaid*, That the Perſons before named, appointed to audit and examine the Accounts of the Treaſurer, as aforeſaid, ſhall, for ſuch Examination and Auditing, receive the Sum of *Forty Shillings*, each Time of their Examining and Auditing ſuch Accounts; to be paid by the ſaid Treaſurer, out of the Fund ariſing and accruing by Virtue of the Act aforeſaid, entitled, *An* Act *for laying an Exciſe on all Strong Liquors retailed in this Colony*: And if it ſhall ſo happen, that after the Time of Twelve Months after her Majeſty's Royal Aſſent to this Act is ſignified in this Colony, there be any Bills in the Hands of the Treaſurer of this Colony, not demanded within Twelve Months, as before directed; ſuch Bills are, by the Auditors and Treaſurer hereby directed, be firſt ſunk, and an Account of the Sums mentioned in the ſaid Bills, and the Numbers of them, together with the Names of the Perſons neglecting or refuſing to claim the Sums of Money appointed to be paid by this Act, fairly entred in a Book to be kept for that Purpoſe.

The Treaſurer to keep an Account of the Money paid by Virtue of this Act.

XIX. **And be it further Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony for the Time being, ſhall keep an exact Account of the particular Sum and Sums of Money, paid by Virtue, and according to the Direction in this Act, with Receipts or Diſcharges from the Perſon or Perſons, their Executors, or Aſſigns, to whom the ſaid Sums are payable, at any Time to be produced by him, for View and Examination of the Governor, Council, and General Aſſembly of this Colony, or either of them, on Penalty of making good and refunding any Sum or Sums of Money which ſhall not be ſo vouched and diſcharged, according to the true Intent and Meaning of this Act.

XX. And whereas ſufficient Notice hath been given, ſo that all Perſons having any Claim upon this Colony, might have brought in their ſaid Claims; **Tis therefore Enacted** *by the Governor, Council, and General Aſſembly, and by the Authority of the ſame*, That the Sums paid by Virtue of this Act, ſhall be taken, deemed, eſteemed, and accounted, to be an abſolute, full, and entire Satisfaction, for all the Claims made, and Debts ſaid to be due from this Colony;

1st *GEORGE* I. A. D. 1714.

Colony; and the Persons bringing, claiming, or demanding the same, their Heirs, Executors, or Administrators, shall for ever be precluded and debarred from claiming, demanding, or receiving any other Payment, Acknowledgement, or Reward for the said Claims, or any Part thereof, than what is before mentioned and appointed by this Act; and all Persons whatsoever, are by this Act, for ever precluded and debarred, from pretending or making any Claim for the Payment of any Service or Services, Goods, Wares, Merchandizes, or Effects, done, advanced, or expended by them, or any of them, their, or either of their Predecessors, Constituents, or Imployers, or by any Person or Persons whatsoever, for the Use of this Colony, at any Time before the first Day of *June*, in the present Year of our Lord, One Thousand Seven Hundred and Fourteen.

Persons paid by Virtue of this Act, to make no further Claims of the same Debts.

XXI. **Provided always, And it is hereby further Enacted**, That neither this Act, nor any Part thereof, shall be construed to debar any Person or Persons having a Right to the same, from claiming and receiving from the Receiver General of this Colony, by Virtue of a Warrant drawn by the Governor in Council, their Part, Share, and Proportion, of the Sum of *Two Thousand eight Hundred Pounds*, raised by an Act of Assembly of this Colony, for and towards the Support of the Government of the same. *And provided also*, That neither this Act, nor any Part thereof, shall be construed to bar the Chief Justice that now is, or any Member or Officer of the General Assembly that now is, or that heretofore hath been, from claiming or demanding the Salaries, Fees, or Rewards due to them, as Members or Officers of the said General Assembly.

Proviso.

XXII. **Be it Enacted** *by the Governor, Council, and General Assembly of this Colony, and by the Authority of the same*, That all Monies whatsoever, that shall for the future be raised by Act or Acts of General Assembly in this Colony, and directed by the said Act or Acts to be lodged in the Hands of the Treasurer of the same, shall not, on any Pretence whatsoever, be disposed of, but by Virtue and Direction of the said Act or Acts, or of an Act or Acts of General Assembly for that Purpose to be made; and all Monies whatsoever, raised or accruing by Virtue of any Act or Acts of General Assembly of this Colony, made or to be made, for and towards the Support of the Government of this Colony, and by the said Act or Acts appointed and directed to be lodged in the Hands of the Receiver General for the Time being, appointed or to be appointed by her Majesty, her Heirs, or Successors, shall be issued by Warrants sign'd by the Governor, or Commander in Chief for the Time being, in Council, by and with the Consent of the greater Part of the Council then present.

No Monies to be raised by future Acts, and lodged in the Hands of the Treasurer, to be disposed of but by Virtue of the said Acts.

XXIII. **And be it Enacted** *by the Authority aforesaid*, That the Treasurer of this Colony for the Time being, shall pay in the Bills of Credit made current by this Act, unto each of the Persons hereafter named, the several Sums of Money hereafter expressed; *that is to say*;

[*Here follow again several Payments, which are omitted for the Reason before.*]

XXIV. **And be it Enacted** *by the Authority aforesaid*, That the Sum of *Ninety Pounds*, in Bills of Credit aforesaid, be paid by the Treasurer of this Colony, for printing the said Bills of Credit.

£.90 to be paid for printing the Bills.

XXV. **Provided always, And be it further Enacted** *by the Authority aforesaid*, That none of the Bills of Credit intended to be made current by this Act, shall be sign'd, or pass current within this Colony, before this Act, as also an Act, entitled, *An* Act *for laying an Excise on all Strong Liquors retailed in this Colony*, published the fifteenth Day of *October*, One Thousand Seven Hundred and thirteen, be, and are passed her Majesty's Royal Assent, and the said Assent be first signified within this Colony; any Thing in this Act to the Contrary notwithstanding.

When the Bills are to pass current.

1st GEORGE I. A. D. 1714.

CHAP. CCLXXXI.

An ACT *for preventing the Multiplicity of Law-Suits.*

Paſs'd the 4th of September, 1714.

I. BE it Enacted *by his Excellency the Governor, Council, and General Aſſembly of this Colony, and by the Authority of the ſame*, That if any Two or more dealing together, be indebted to each other upon Bonds, Bills, Bargains, Promiſes, Accounts, or the like, and one of them commence an Action in any Court of this Colony; if the Defendant cannot gainſay the Deed, Bargain, or Aſſumption upon which he is ſued, it ſhall be lawful for ſuch Defendant to plead Payment of all or any Part of the Debt or Sum demanded, giving Notice in Writing, with the ſaid Plea, of what he will inſiſt upon at the Trial, for his Diſcharge, and give any Bond, Bill, Receipt, Account, or Bargain, ſo given Notice of, in Evidence: And if it ſhall happen, that the Defendant hath fully paid or ſatisfied the Debt or Sum demanded, the Jury ſhall find for the Defendant, and Judgment ſhall be entred, that the Plaintiff ſhall take nothing by his Writ, and ſhall pay the Coſts; and if it ſhall appear, that any Part of the Sum demanded, is paid, then ſo much as is found to be paid, ſhall be diſcounted, and the Plantiff ſhall have Judgment for the Reſidue only, with Coſts of Suit; but if it appear to the Jury, that the Plaintiff is overpaid, then they ſhall give in their Verdict for the Defendant, and withal, certify to the Court, how much they find the Plantiff to be indebted, or in arrear to the Defendant, more than will anſwer the Debt or Sum demanded; and the Sum or Sums ſo certified, ſhall be recorded with the Verdict, and ſhall be deemed as a Debt of Record; and if the Plaintiff refuſe to pay the ſame, the Defendant for Recovery thereof, ſhall have a *Scire Facias* againſt the Plaintiff, in the ſaid Action, and have Execution for the ſame, with the Coſts of that Action; any Law, Uſage, or Cuſtom to the contrary in any wiſe notwithſtanding.

One Debt may be ſet againſt another, and Payment pleaded, giving Notice of the Debt.

If the Plaintiff is overpaid, the Ballance to be certified by the Jury, and

Recovery to be by *Scire Facias*.

CHAP. CCLXXXII.

Expired the 4th of *September*, 1716

An ACT *for encouraging the Indian Trade at* Albany.

Paſs'd the 4th of September, 1714.

CHAP. CCLXXXIII.

Expired the 24th *December*, 1721. Provided for Chap. 414.

An ACT *for regulating Fences for the ſeveral Cities and Counties within this Colony.*

Paſs'd the 4th of September, 1714.

CHAP. CCLXXXIV.

Continued Ch. 301.

An ACT *for appointing Commiſſioners to let to farm the Exciſe throughout this Colony.*

Paſs'd the 4th of September, 1714.

CHAP. CCLXXXV.

Expired the 4th of *September*, 1721. Private.

An ACT *to entitle* Gerrit De Graeuw, *and his Aſſigns, to the Fiſhing of Porpoiſes during the Term of Seven Years.*

Paſs'd the 4th of September, 1714.

CHAP.

1st GEORGE I. A. D. 1714.

CHAP. CCLXXXVI.

An ACT *for the Treasurer's paying the Monies therein mentioned.*
Pass'd the 4th of September, 1714.

Obsolete.

CHAP. CCLXXXVII.

An ACT *for the Treasurer's paying the Arrears due to the Clerk and Door-keeper to the General Assembly of this Colony, and paying the Printer's Salary.*
Pass'd the 4th of September, 1714.

Obsolete.

CHAP. CCLXXXIX.

An ACT *for shortning Law-Suits, and regulating the Practice of the Law.*
Pass'd the 4th of September, 1714.

Repealed by the King, the 20th *January*, 1721.

1st GEORGE I. A. D. 1715.

CHAP. CCXC.

An ACT *for preserving of Oysters.*
Pass'd the 15th of May, 1715.

Expired 19th of *July*, 1720, but provided for Ch. 552.

CHAP. CCXCI.

An ACT *for the better explaining one Act of General Assembly, passed in the Year of our Lord, One Thousand Seven Hundred and Fourteen, entitled, An Act for paying and discharging the several Debts and Sums of Money claimed as Debts of this Colony, to the several Persons therein named, and to make and enforce the Currency of Bills of Credit, to the Value of* Twenty Seven Thousand Six Hundred and Eighty Pounds, *for that Purpose; also to make void all Claims and Demands made, or pretended to be due from this Colony before the first Day of* June, *One Thousand Seven Hundred and Fourteen, and to prevent this Colony from being in Debt for the Future.*
Pass'd the 19th of May, 1715.

See Chap. 280.

FOR the Preventing and Resolving all Disputes, Doubts and Misconstructions that have been made, or may happen and arise in, about, or upon one Act of General Assembly, made and pass'd in the Year of our Lord, One Thousand Seven Hundred and Fourteen, entitled, *An* Act *for paying and discharging the several Debts, and Sums of Money claimed as Debts of this Colony, to the several Persons therein named, and to make and enfore the Currency of Bills of Credit to the Value of* Twenty-seven Thousand Five Hundred and Eighty Pounds, *for that Purpose; also to make void all Claims and Demands made, or pretended to be due from this Colony, before the first Day of* June, *One Thousand Seven Hundred and Fourteen, and to prevent this Colony from being in Debt for the Future*:

Preamble.

I. **Be it Enacted** *by the Governor, Council, and General Assembly, and it is hereby Declared and Enacted by the Authority of the same,* That Nothing in the said Act is meant or intended, or shall or may be construed to extend to hinder, bar, or exclude, any Person or Persons whatsoever, having any just Claim or Demand on this Colony, who at the Time of the Making and Passing one Act of General Assembly, made in the Eleventh Year of the Reign of her late Majesty Queen ANNE, (of blessed Memory) entitled, *An* Act *to appoint Commissioners to examine and state the several Claims alledged as Debts of the Government*; or at the Time of the Making and Passing the said Act of General Assembly, entitled, *An* Act *for paying and discharging the several Debts, and Sums of Money claimed as Debts of this Colony*, &c. was within the Age of Twenty

Nothing mentioned in Ch. 280, to prejudice the just Claims of any Persons who, at the Times of passing Ch. 252, and Ch. 280, were within the Age of Twenty-one Years, &c.

1ſt GEORGE I. A. D. 1715.

But the Claims of ſuch Perſons, ſhall remain as if thoſe Acts had never been made.

Twenty-one Years, *Feme-Covert*, *Non Compos Mentis*, *impriſoned*, or *beyond the Seas*; but that all and every ſuch Perſon or Perſons, having any juſt Claim or Demand on this Colony, after their coming to, or being of *full Age*, *Diſcovert*, of *ſane Memory*, *at large*, *and returned from beyond the Seas*; or in Caſe of his, her, or their remaining beyond the Seas, by his, her, or their Attorney, Agent or Commiſſioner, ſhall, and lawfully may, make and purſue any ſuch their juſt Claim and Demand, and obtain and have ſuch Remedy and Relief, as if the ſaid Act of Aſſembly, entitled, *An* Act *for paying and diſcharging the ſeveral Debts and Sums of Money claimed as Debts of this Colony*, &c. had never been made, any Thing in the ſame, or any other Act of Aſſembly to the Contrary hereof in any wiſe notwithſtanding.

The Twelfth ASSEMBLY.

FIRST SESSIONS.

The Currency of theſe Bills was limited to five Years. Continued Chap. 393.

**Theſe Bills amounted to £.* 6000.

CHAP. CCXCII.

An ACT *for a Supply to be granted to his Majeſty, for ſupporting his Government in the Province of* New-York, *and for ſtriking * Bills of Credit for that Purpoſe.*

Paſs'd the 5th of July, 1715.

The Fund for ſinking the Bills emitted by this Act, was inſufficient for that Purpoſe, and to effect it, Chap. 431, *was made.*

I. FOR the better defraying the Publick and neceſſary Charges and Expences of this his Majeſty's Government; **Be it Enacted** *by the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after the firſt Day of *July*, in this preſent Year, there be raiſed, levied, collected, and paid, the ſeveral and reſpective Duties and Cuſtoms hereafter ſpecified; which are hereby given and granted unto his Majeſty, his Heirs and Succeſſors, for the Space and Term of Five Years.

[*Here follow the ſeveral Articles on which the Duties are laid; and the Time of the Duties being expired, the Articles are omitted.*]

Bills of Credit to the Value of *Fifteen Hundred Ounces of Plate*, to be printed.

II. AND whereas the Indian Nations are very much wavering in their Faith and Allegiance to the Crown, his Majeſty's Forts and Fortifications in this Province, very much gone to Decay, and the Neceſſity of his Majeſty's Government in many Caſes, ſuch as will and do demand a more ſpeedy Supply, than can from Time to Time, come in by the Duties given by this Act: **Be it therefore Enacted** *by the Authority aforeſaid*, That Bills of Credit to the Value of *Fifteen Thouſand Ounces of Plate*, ſhall be forthwith printed; *that is to ſay*; Two Hundred Bills, of Twenty-five Ounces of Plate, or *Ten Pounds* Value each; Two Hundred Bills, of Twelve Ounces and an Half of Plate, or *Five Pounds* Value each; Two Hundred Bills, of Ten Ounces of Plate, or *Four Pounds* Value each; Two Hundred Bills, of Five Ounces of Plate, or *Two Pounds* Value each; One Thouſand Bills, of Two Ounces and an Half of Plate, or *Twenty Shilllings* Value each; One Thouſand Bills, of One Ounce and a Quarter of Plate, or *Ten Shillings* Value each; Twelve Hundred Bills, of Twelve Penny Weight and an Half of Plate, or *Five Shillings* Value each: On which Bills, ſhall be impreſſed on the Left Side of the ſaid Bill, about the Middle of the Side, the Arms of the City of *New-York*. And the ſaid Bills ſhall be in Form following, *viz.*

THIS

1st GEORGE I. A. D. 1715.

THIS indented Bill, of ------- Ounces of Plate, or ------- due from the Colony, of New-York, *to the Poſſeſſor thereof, ſhall be in Value equal to Money, and ſhall be accepted accordingly by the Treaſurer of this Colony for the Time being, in all Publick Payments, and for any Fund at any Time in the Treaſury. Dated in* New-York, *the firſt Day of* July, *One Thouſand Seven Hundred and Fifteen, by Order of the Governor, Council, and General Aſſembly.*

Form of the Bill.

WHICH Bills ſhall be ſign'd and numbred by *Robert Walter*, *John Cruger*, *David Provooſt*, junior, and *John Read*, Eſquires, or any Three of them; and in Caſe of the Death, Removal, or Refuſal of any of the ſaid Perſons, the ſaid Bills ſhall be ſign'd and numbred by the major Part of the Perſons above-mentioned, then alive; which Bills of Credit to be made and iſſued by Virtue of this Act, ſhall be and continue current, for and during the Space and Time of five Years, to be computed from the Days of their reſpective Dates, and ſhall be received and paid for the ſame Value, and be equal to the current Coin paſſing in this Colony, for Goods, or any other Thing bought and ſold by all Perſons whatſoever, reſiding in, and paſſing through this Colony, according to their Rates; and the Tender of the ſaid Bills for Payment, or diſcharging of any Debt or Debts, Bargain, Sale of any Land or Lands, or other Things, Bonds, Mortgages, Specialties, and Contracts whatſoever, ſhall be as effectual in the Law, to all Intents and Purpoſes, as if the current Silver Coin of this Colony had been offered and tendred for the Diſcharge of the ſame, or any Part thereof.

The Signers of the Bill.

The Bills to be current for five Years

III. **And be it further Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons, Creditor or Creditors, Obligee or Obligees, and Party or Parties, to any Contract, Covenant, Bargain or Agreement whatſoever, already made, or hereafter to be made, at any Time during the Currency of the ſaid Bills; ſhall, upon Tender of all or any their Debts, Dues, and Demands whatſoever, or any Part of them, in the Bills of Credit made current by this Act, refuſe to accept or receive the ſaid Bills of Credit in Diſcharge of the ſaid Debts, Dues, or Demands, or any Part of them, according to their Values and Rates; he, ſhe, or they, ſo refuſing to accept the ſaid Bills of Credit in Diſcharge, as aforeſaid, ſhall loſe the ſaid Debt or Debts, Sum or Sums of Money, or ſuch Part of the ſame, ſo refuſed; and they, and every of them, their, and every of their Heirs, Executors, or Adminiſtrators, ſhall for ever be barred from bringing his, her, or their Action, for the Recovery of the ſaid Debt or Debts, Sum or Sums of Money, ſo refuſed, as aforeſaid; and the Defendant may plead this Act in Bar, to any Action or Actions that ſhall be ſo commenced.

Perſons refuſing to take the Bills, to loſe their Debts.

And the Defendant may plead this Act, in bar to any Actions commenced for the ſame.

IV. **Be it further Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons whatſoever within this Colony, ſhall at any Time, during the Currency of the ſaid Bills, offer to ſell, or expoſe to Sale, any Goods or Chattels, Lands or Tenements whatſoever, and deny or refuſe to ſell, or aſk a greater Value for the ſame, unleſs Payment be made in current Silver Money, Gold, Plate, Dollars, or other Species whatſoever, and not in the ſaid Bills of Credit (whereby the Credit of the ſaid Bills may be impaired;) then, and in ſuch Caſe, the Perſon ſo expoſing to Sale, and refuſing, as aforeſaid, ſhall, if the Goods and Chattels expoſed to Sale be under the Value of *Five Pounds*, forfeit the Sum of *Forty Shillings*, for each Offence; to be recovered before any Juſtice of the Peace, upon the Oath of any two Witneſſes: And if the Value of the Goods or Chattels, Lands or Tenements, be above *Five Pounds*, and under *Fifty Pounds*, the Expoſer to Sale ſhall forfeit the Sum of *Five Pounds*; and if the Goods or Chattels, Lands or Tenements, be above the Value of *Fifty Pounds*, and under *One Hundred Pounds*, the Expoſer to Sale ſhall forfeit the Sum of *Ten Pounds*; and if the Value of the Goods or Chattels, Lands or Tenements,

No Perſon expoſing to Sale Lands or Chattels, to aſk a greater Value, unleſs paid in Gold or Silver, than in Bills.

The Forfeiture.

1ſt *GEORGE* I. A. D. 1715.

be above *One Hundred Pounds*, the Expoſer to Sale ſhall forfeit *Fifty Pounds*; to be recovered by Action of Debt, in any Court of Record within this Colony, with Coſt of Suit; the firſt Forfeiture to the Uſe of any Perſon that ſhall ſue for, and proſecute the ſame to Effect; the other Half to his Majeſty, his Heirs and Succeſſors, to be applied towards the Support of the Government of this Colony, any Law, Cuſtom or Uſage to the Contrary, in any wiſe notwithſtanding.

The Oath to be taken by the Signers.

V. **And be it Enacted** *by the Authority aforeſaid*, That the Perſons appointed for the Signing of the ſaid Bills of Credit, ſhall take an Oath before any Juſtice of the Peace of this Colony, for the true Signing and Delivering of all the ſaid Bills of Credit, and no more than what is mentioned in this Act, to the Treaſurer of this Colony, according to the true Intent and Meaning of this preſent Act.

The Value of the Bill to be printed on the Top.

VI. **And be it Enacted** *by the Authority aforeſaid*, That the Quantity of Plate that each Bill ſhall be current for, and the Value of the ſame, be printed on the Top of each Bill.

The Reward to be paid to the Signers.

VII. **And be it Enacted** *by the Authority aforeſaid*, That *Robert Walter*, *John Cruger*, *David Provoſt*, junior, and *John Read* aforeſaid, appointed hereby to ſign the Bills of Credit made current by this Act, ſhall, for ſuch their Service, have paid unto each of them, or each of their Executors, or Aſſigns, by the Treaſurer aforeſaid, in Bills of Credit made current by this Act, the Sum of *Thirty-ſeven Ounces and an Half of Plate*, as a Reward for their Trouble, in ſigning, numbring, comparing, and cancelling the Bills aforeſaid: And the Treaſurer of this Colony is hereby directed to pay the ſame accordingly; any Thing in this Act to the Contrary, in any wiſe notwithſtanding.

Counterfeiting the Bills, Felony without Benefit of Clergy.

VIII. **And be it Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons whatſoever, ſhall preſume to counterfeit any of the ſaid Bills, he or they being convicted thereof, ſhall incur the Pains and Penalties of Felony, without Benefit of Clergy, and ſhall ſuffer accordingly.

How the Bills are to be ſunk.

IX. And that the ſaid Bills may be truly and *bona fide* ſunk, as the Fund ariſing by Virtue of this Act, is paid unto the Treaſurer of this Colony for the Time being; **Be it Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony ſhall yearly retain in his Hands, the Sum of *Three Thouſand Ounces of Plate*, out of the firſt Money yearly ariſing by Virtue of this Act; which ſaid Sum of *Three Thouſand Ounces of Plate*, ſo retained in his Hands, ſhall yearly and every Year, on the firſt Day of *July*, during the Continuance of this Act, and on the firſt Day of *July*, which ſhall be in the Year of our Lord One Thouſand Seven Hundred and Twenty, by the Treaſurer aforeſaid, be given in Exchange for Bills of Credit made current by this Act, to any Perſon or Perſons bringing in the ſame; and the ſaid Bills of Credit ſhall, on or before the Expiration of one Month after the ſaid firſt Day of *July* yearly, be ſunk and deſtroyed in the Preſence of the ſaid *Robert Walter*, *John Cruger*, *David Provoſt*, junior, and *John Read*, or the major Part of them then alive, having firſt compared the ſaid Bills with their Counterparts, and entred in a Book to be kept for that Purpoſe, the Number and Value of each Bill of Credit ſo ſunk and deſtroyed.

The Treaſurer's Oath.

X. **And be it Enacted** *by the Authority aforeſaid*, That the Treaſurer aforeſaid ſhall, within one Month after the Publication of this Act, take the following Oath, *viz.*

I. A. B

A. B. *appointed Treaſurer of the Colony of* New-York, *will faithfully and truly diſcharge the Truſt repoſed in me, as Treaſurer of the ſame. I will not iſſue, diſpoſe, or apply, or cauſe to be iſſued, diſpoſed, applied, or paid any Monies, that now is, or may hereafter come into my Hands, as Treaſurer aforeſaid, otherwiſe than is, or ſhall be directed by this, or any other Act or Acts of the General Aſſembly of this Colony; and I will keep true and faithful Accounts of all the Money or Effects that is, or may come into my Hands, or Poſſeſſion, and that ſhall be iſſued and paid by me, by Virtue of any ſuch Act, with the Times of my receiving and paying of the ſame.* So help me GOD.

WHICH Oath ſhall be adminiſtred by any one of his Majeſty's Council, or any Juſtice of the Peace in this Colony, who are hereby impowered and required to adminiſter the ſame.

By whom to be adminiſtred.

XI. **Provided always, and it is hereby further Enacted**, That in Caſe the ſaid *Robert Walter*, *John Cruger*, *David Provoſt*, junior, or *John Read* aforeſaid, ſhall happen to die, or refuſe to act, or remove beyond the Seas, before the Duties and Services hereby required of them, be performed and accompliſhed; that then, and in ſuch Caſe, the Governor for the Time being, with the Advice and Conſent of the Council, may appoint and nominate the like Number of other ſubſtantial Freeholders of the City of *New-York*, to execute all and every the Powers hereby given to the aforeſaid *Robert Walter*, *John Cruger*, *David Provoſt*, junior, and *John Read*, who ſhall continue in like Manner, to execute the ſame, till others be appointed by Act of General Aſſembly; and receive the ſame Reward for their Services herein, in the ſame Proportion as is before directed to be paid to the ſaid *Robert Walter*, *John Cruger*, *David Provoſt*, junior, and *John Read*.

Any of the Signers dying, refuſing or removing, the Governor to nominate others.

XII. **And be it further Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony ſhall pay, or cauſe to be paid, the Bills of Credit hereby made current, and likewiſe all and every Sum and Sums of Money that ſhall come to his Hands by Virtue of this Act, over and above the ſaid Bills of Credit, to ſuch Perſon and Perſons, and in ſuch Manner, as he ſhall from Time to Time, be directed, by Warrant or Warrants to be paſs'd in Council, under the Hand and Seal of the Governor, or Commander in Chief of this Colony for the Time being, by and with the Advice and Conſent of the ſaid Council; which Warrants, endorſed by the Perſons to whom they are made payable, ſhall be a ſufficient Diſcharge to the ſaid Treaſurer; which Warrants ſhall be numbred, and paid in Courſe, according to their Number: And to the End the Treaſurer may at all Times know what Warrants are drawn, the Clerk of the Council for the Time being, is hereby directed and required, immediately after the Drawing of any Warrant or Warrants, to ſignify to the Treaſurer, under his Hand, the Name or Names, of the Perſon or Perſons, to whom ſuch Warrant or Warrants are made payable, together with the Sums and Numbers of the ſame.

The Treaſurer to pay the ſaid Bills agreeable to the Warrants paſs'd in Council, under the Hand and Seal of the Governor.

The Clerk of the Council to ſignify to the Treaſurer the Perſons Names to whom the Warrants are made payable.

XIII. **Provided always, and it is hereby Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony ſhall nevertheleſs pay, or cauſe to be paid, in Bills of Credit hereby made current, to all and every the Members of the General Aſſembly of this Colony, *Ten Shillings per Diem*, for each Day they have ſerved, or ſhall ſerve, from the firſt Day of this preſent Seſſion of Aſſembly, to the firſt Day of *January* next enſuing, upon a Certificate to be produced to him, by each and every the ſaid Members, ſigned by the Speaker of the ſaid Aſſembly for the Time being, expreſſing the Number of Days that each Member has attended the Service of the ſaid General Aſſembly, within the ſaid Time, and the Receipt of each of the ſaid Members indorſed on his Certificate, ſhall be a ſufficient Diſcharge to the ſaid Treaſurer for ſo much.

Provided the Treaſurer ſhall pay the Members of the Aſſembly, producing a Certificate ſigned by Speaker.

XIV, And

1st *GEORGE* I. A. D. 1715.

The Speaker's Certificate to be ſigned by the Majority of the Houſe

XIV. **And be it further Enacted** *by the Authority aforeſaid*, That the Certificate for the Speaker's Service, in the Houſe, ſhall be ſigned by the Majority of the Houſe; and the Treaſurer is hereby ordered to take Notice of it, and pay it accordingly; and the ſaid Speaker's Receipt, ſhall be a Diſcharge to the ſaid Treaſurer for ſo much.

CHAP. CCXCIII.

An ACT *declaring, that all Perſons of foreign Birth, heretofore inhabiting within this Colony, and dying ſeized of any Lands, Tenements, or Hereditaments, ſhall be forever hereafter deemed, taken, and eſteemed to have been naturalized; and for naturalizing all Proteſtants of foreign Birth, now inhabiting within this Colony.*

Paſs'd the 5th of July, 1715.

Preamble.

WHEREAS, by Letters Patent, under the Great Seal of *England*, dated the twelfth Day of *March*, in the ſixteenth Year of *Charles* the Second, the Soil and Government of this Colony was, by the ſaid King, given and granted to his then deareſt Brother, *James*, Duke of *York*, his Heirs and Aſſigns; and amongſt other the Powers therein and thereby given to the ſaid Duke, it was granted, That it ſhould and might be lawful for the ſaid Duke, his Heirs and Aſſigns, or any of them, at all and every Time and Times hereafter, to take, lead, carry, and tranſport, for and towards the Plantation of this Colony, not only any of the Subjects of his then Majeſty's Realms and Dominions, but any other Strangers, who would become Subjects to the ſaid King, and live under his Allegiance: And whereas, by the Articles made on the Surrender of this Province, to the Crown of *England*, it was, among other Things, ſtipulated, That all People ſhould continue free Denizens, and enjoy their Lands and Houſes, whereſoever they were, within this Colony, and diſpoſe of them as they pleaſed; that any People might come from the *Netherlands*, and plant in this Country; and that any of the then military Officers and Soldiers belonging to the *Dutch* Garriſon, that would plant, ſhould have fifty Acres of Land ſet out for them: And whereas, in Purſuance of the ſaid Articles, made on the Surrender aforeſaid, and in order to invite and encourage People to come and ſettle in this Colony, and improve the ſame, ſeveral Letters of Denization were given, by ſeveral Governors, ſetting forth, that the Perſons receiving the ſame, had, by Virtue of the Articles made on the ſaid Surrender, and the ſaid Letters of Denization, Privilege and Power to purchaſe, receive, take, have, hold, buy, and poſſeſs any Lands, Tenements, or Hereditaments, within this Government, and them might occupy and enjoy, give, ſell, alien, and bequeath, as they ſhall ſee Cauſe: And whereas, for the Invitation and further Encouragement of People to come and ſettle in this Colony, and in order to quiet the Minds of his Majeſty's Subjects, then inhabiting the ſame, Sir *Edmond Androſs*, then Governor of this Province under his Royal Highneſs, then Duke of *York*, in a Proclamation by him emitted the ninth Day of *November*, One Thouſand ſix Hundred and Seventy-four, by Command of the ſaid Duke, did proclaim and declare, That all former Grants, Privileges, or Conceſſions, before that Time granted, and all Eſtates legally poſſeſſed by any, under his Royal Highneſs, before the late *Dutch* Government, were thereby confirmed, and the Poſſeſſors, by Virtue thereof, to remain in quiet Poſſeſſion of their Rights: And whereas, for the further quieting the Minds of his Majeſty's Subjects of foreign Birth, inhabiting this Colony, and for the further Invitation and Encouragement of ſuch as would come, inhabit, and improve the ſame, an Act of the General Aſſembly of

1ſt GEORGE I. A. D. 1715.

of this Province was aſſented to, in the Year One Thouſand Six Hundred eighty three, by the then Governor Colonel THOMAS DONGAN, entitled, *An* Act *for naturalizing all thoſe of foreign Nations, at preſent inhabiting within this Province, and profeſſing Chriſtianity, and for Encouragement of others to come and ſettle within the ſame*, and expreſſed in the following Words, *viz.* "Foraſmuch as ſeveral "Perſons of divers foreign Nations, profeſſing Chriſtianity, now are, and for "divers Years paſt, have been actual and ſettled Dwellers and Inhabitants "within this Province, under the Allegiance of his Majeſty of *Great-Britain*, "our dread Sovereign, and the Obedience of his Royal Highneſs, and ſo deſire "to continue and remain, and be naturalized, and become as his Majeſty's "natural-born Subjects; **Be it Enacted** *by the Governor, Council, and Repre-* "*ſentatives now aſſembled, and by the Authority thereof*, That all and every ſuch "Perſon or Perſons, of what foreign Nation ſoever they be, profeſſing Chriſti- "anity, and that now are actual Inhabitants within this Province, and have "taken or ſubſcribed, or that ſhall take or ſubſcribe to the Oath of Allegiance, "are, and ſhall be hereby naturalized, and in all Reſpects be accounted and "eſteemed as his Majeſty's natural-born Subjects, and ſhall have and enjoy "all ſuch Privileges, Freedoms, and Immunities within this Province, as other "his Majeſty's Subjects do have, or enjoy.

"**Provided**, Nothing contained in this Act, is to be conſtrued to diſcharge "or ſet at Liberty, any Servant, Bond-Man, or Slave, but only to have Relation "to ſuch Perſons as are free at the making hereof.

"**And be it further Declared and Enacted** *by the Authority aforeſaid*, That all "and every Perſon and Perſons, Foreigners, of what Nation ſoever, profeſſing "Chriſtianity, that at any Time hereafter ſhall come and arrive within the ſaid "Province, with an Intent to become his Majeſty's Subjects, and to dwell, ſettle, "and inhabit accordingly, and take the Oath of Allegiance to his ſaid Majeſty, "and Fidelity to his Royal Highneſs the Lord Proprietor of this Province; "every ſuch Perſon or Perſons, may be naturalized by Act of Aſſembly, and "from thenceforth ſhall, in all Reſpects, be accounted, deemed, and eſteemed "as his Majeſty's natural-born Subjects, and ſhall have and enjoy all ſuch "Privileges, Freedoms, and Immunities within this Province, as other his "Majeſty's Subjects have and enjoy."

AND whereas, purſuant to the Powers granted to the then Duke of *York*, ſeveral Strangers, willing to become his Majeſty's Subjects, and live under his Allegiance, were imported into this Province, and did ſettle in, and improve the ſame, acquiring to themſelves, with the Conſent and Approbation of the Government, ſeveral Lands, Tenements, and Hereditaments: And whereas, on a firm Dependance on the publick Faith, for the inviolable Adherence to, and faithful Performance of the Articles made on the Surrender aforeſaid, many of the Subjects of the High and Mighty States of the United Provinces, remained in this Colony as his Majeſty's Subjects, and quietly held and enjoyed the Lands they were poſſeſs'd of, and acquired other Lands, Tenements, and Hereditaments within the ſame: And whereas, by the Invitations and great Encouragements given by the Governors of this Province, under his then Royal Highneſs, and particularly the great Encouragement given by the before recited Act of Aſſembly, aſſented to, as aforeſaid, great Number of Proteſtants of foreign Birth did come and ſettle in this Colony, to the great Increaſe of Trade and Navigation, and conſiderable Improvement of this Province: And whereas, by many Intermarriages, Wills, Deeds of Sale, and other Meſne Conveyances in the Law, ſeveral Eſtates, Lands, Tenements, and Hereditaments, formerly poſſeſſed by Perſons of foreign Birth or Extraction, who ſettled in this Province on the Motives before expreſſed, have been, and are become the Poſſeſſions, Lands, Tenements, and Hereditaments of his Majeſty's

1st GEORGE I. A. D. 1715.

natural-born Subjects of his Kingdoms of *Great-Britain*, or *Ireland*, or ſome of the Dominions thereunto belonging: Therefore, to render his Majeſty's Subjects ſecure in the quiet and peaceable Enjoyment of their ſeveral Eſtates, Rights, and Properties, prevent any Doubts, Controverſies or Diſputes, that may hereafter ariſe upon, or concerning the true Meaning, Intent, and Validity of the before-mentioned Powers granted to the Duke of *York*, the Articles made and agreed to on the Surrender, the Letters of Denization, Proclamations, Invitations, and Act of Aſſembly, or any of them, and to ſettle and quiet the Minds of his Majeſty's Subjects inhabiting in this Colony; we pray, that it may be Enacted by the Governor, Council, and Aſſembly,

Foreigners inhabiting the Colony before the firſt of *November*, 1683, dying ſeized of real Eſtates, to be conſidered as Perſons naturalized.

I. **And it is hereby Enacted** *by the Authority of the ſame*, That all Perſons of foreign Birth, now deceas'd, inhabiting and being within this Colony, at any Time before the firſt Day of *November*, One Thouſand ſix Hundred and Eighty-three, and being ſeized of Lands, Tenements, and Hereditaments, ſhall for ever hereafter be deemed, taken, and eſteemed to have been naturalized, and entitled to all the Rights, Privileges, and Advantages of any the natural-born Subjects of this Colony; and all Bequeſts, Deeds, Grants, and Meſne Conveyances in the Law, made or done by any of them, ſhall be deemed to be as effectual to all Intents and Purpoſes whatſoever, as if they had been done and executed by any of his Majeſty's natural-born Subjects of this Colony; and any Perſon or Perſons holding any Lands, Tenements, or Hereditaments, by, from, or under any ſuch Perſon or Perſons of foreign Birth, ſhall be deemed to be, and is hereby as fully and rightfully entitled to the ſame, to every Intent and Purpoſe whatſoever, as if ſuch Perſon or Perſons had held by, from, or under any of his Majeſty's natural-born Subjects of this Colony.

Conveyances by them, and Eſtates derived from them, good.

And ſuch Foreigners now alive, to have the Privileges of natural-born Subjects.

II. **And be it Enacted** *by the Authority aforeſaid*, That every Perſon of foreign Birth now alive, and who did inhabit within this Colony, before the ſaid firſt Day of *November*, in the Year of our Lord, One Thouſand ſix Hundred Eighty-three, ſhall, for ever hereafter, be deemed to have been naturalized, and ſhall enjoy all the Rights, Privileges, and Advantages that any of his Majeſty's natural-born Subjects of this Colony do, or of Right ought to enjoy; and any Deviſe, Bequeſt, Deed, Grant, or Meſne Conveyance in the Law, heretofore made by any ſuch Perſon of foreign Birth, ſhall be as effectual to all Purpoſes and Intents whatſoever, as if the ſame had been done and executed by any of his Majeſty's natural-born Subjects of this Colony.

Foreigners that inhabited this Colony ſince 1683, that have purchaſed Eſtates, conveyed them away, or have died ſeized of them, to be eſteem'd as Perſons naturalized.

Their Conveyances good.

As alſo Eſtates held under them.

III. **And be it Enacted** *by the Authority aforeſaid*, That all Perſons of foreign Birth, who have come and inhabited in this Colony, at any Time ſince the ſaid Year of our Lord One Thouſand ſix Hundred and Eighty-three, and purchaſed any Lands, Tenements, or Hereditaments, and conveyed the ſame by Meſne Conveyances in the Law, or died ſeized of the ſame, every ſuch Perſon ſhall, for ever hereafter be deemed, taken, and eſteemed to have been naturalized; and any Bequeſt, Deed, Grant, or other Meſne Conveyance in the Law, made, done, or executed by any ſuch Perſon or Perſons of foreign Birth, as aforeſaid, and now dead, ſhall be deemed, taken, and eſteemed to be as good, valid, and effectual in the Law, to all Intents, Conſtructions, and Purpoſes whatſoever, as if the ſame had been made, done, or executed by any of his Majeſty's natural-born Subjects of this Colony; and the Heirs, Grantees, Legatees, Feoffees, of any ſuch Perſon or Perſons of foreign Birth, as aforeſaid, holding any Lands, Tenements, or Hereditaments, by, from, or under any ſuch Perſon or Perſons of foreign Birth, ſhall have, hold, enjoy, poſſeſs, occupy, and be entitled to the ſame, as fully and rightfully, as if the ſaid Lands or Tenements had deſcended from, or been granted or conveyed by any of his Majeſty's natural-born Subjects of this Colony; any Law, Cuſtom, or Uſage to the Contrary hereof, in any wiſe notwithſtanding.

IV. And

1st GEORGE I. A. D. 1715.

IV. **And be it further Enacted** *by the Authority aforesaid*, That all Persons of foreign Birth, being Protestants, now alive, and inhabiting in this Colony, shall be, and are hereby declared to be his Majesty's natural Subjects, and shall enjoy all the Rights, Privileges and Advantages that any of his Majesty's natural-born Subjects do, or of Right ought to have and enjoy.

Foreign Protestants now inhabiting this Colony, to be esteemed as natural-born Subjects.

V. **Provided always, and it is hereby Enacted**, That every such Persons now alive, shall within nine Months after the Publication hereof, take the Oaths by Law appointed to be taken, instead of the Oaths of Allegiance and Supremacy, subscribe the Test, and make, repeat, and swear to, and subscribe the Abjuration Oath, in any of his Majesty's Courts of Record within this Colony; which said Courts respectively, are hereby authorised and required, upon Application to them made, to administer the same, and take the Subscriptions, as aforesaid, and cause the Names of the Person and Persons so swearing and subscribing, to be entred upon Record in the said Court; for which every Person and Persons is hereby required and directed to pay the Sum of *Six Shillings*, current Money of *New-York*, to the Judge of the said Courts respectively, and *Three Shillings* to the Clerk.

But to take the Oaths of Allegiance and Supremacy, &c. in nine Months, in any Court of Record.

And pay for it, 6*s.* to the Judge, and 3*s.* to the Clerk.

VI. **And be it further Enacted** *by the Authority aforesaid*, That if any Person or Persons, having so sworn and subscribed, as aforesaid, shall demand a Certificate or Certificates of his being entred upon Record, in Manner aforesaid, the said Court or Courts are hereby directed and required to grant the same, under the Hand and Seal of the Judge of the said Court, respectively, counter-signed by the Clerk of the said Court; for which Certificate every such Person or Persons, requiring the same, shall pay, over and above the nine Shillings before mentioned, the Sum of *Three Shillings*; one Half to the Judge of said Court or Courts respectively, and the other Half to the Clerk thereof; which said Certificate or Certificates shall, at all Times, be a sufficient Proof of the Person or Persons being naturalized by this Act, as if the Record aforesaid were actually produced by them, or any of them.

Court to give Certificate of taking the Oaths, &c. if required.

VII. **Provided always, and it is hereby further Enacted**, That in Case it so happen, any of the Persons now alive, of foreign Birth above mentioned, shall depart this Life before the Term of nine Months be expired, or before the Publication of this Act, every such Person, so departing this Life, as aforesaid, shall, notwithstanding be deemed and esteemed to have been his Majesty's natural Subject, as fully, as if he or she had been born within this Colony, or had taken the Oaths aforesaid; any Law, Custom, or Usage to the Contrary hereof, in any wise notwithstanding.

Those that die before the nine Months are expired, to be esteemed as natural-born Subjects.

CHAP. CCXCIV.

An ACT *for laying a Duty on Goods sold by Auction, Vendue, or Outcry.*

Obsolete. Provided for by Chap. 326.

Pass'd the 5th of July, 1715.

CHAP CCXCV.

An ACT *for the Encouraging Navigation.*

Expired the 5th of *July*, 1718. Revived Ch. 435.

Pass'd the 5th of July, 1715.

CHAP.

1st *GEORGE* I. A. D. 1715.

CHAP. CCXCVI.

An ACT *for reviving an Act, entitled,* An *Act* for the better ſettling the Militia of this Province, and making it more uſeful for the Security and Defence thereof, and for repealing all former Acts heretofore made in this Province relating to the ſame. Paſs'd the 5th of July, 1715.

See Chap. 260. Revived Ch. 315.

CHAP. CCXCVII.

Obſolete. *An* ACT *for building a County Houſe and Priſon in* Dutcheſs *County, within this Province.*

Paſs'd the 21ſt of July, 1715.

CHAP. CCXCVIII.

Private. *An* ACT *to enable* Sarah Crego, *the Widow of* Richard Crego, *late of the City of* New-York, *Mariner, deceaſed, to ſell a Lot of Land in the ſaid City.*

Paſs'd the 21ſt of July, 1715.

CHAP. CCXCIX.

Private. *An* ACT *for diſcharging Capt.* Peter Van Brugh, *and* Hendrick Hanſen, *Eſquires, of the City of* Albany, *for and concerning the Proviſions, Ammunitions, and other Stores of War, formerly in their Hands, belonging to this Colony.*

Paſs'd the 21ſt of July, 1715.

CHAP. CCC.

Obſolete. *An* ACT *for repairing the County Houſe and Priſon in the County of* Ulſter.

Paſs'd the 21ſt of July, 1715.

CHAP. CCCI.

See Chap. 284. Expired the 21ſt of *July*, 1715. *An* ACT *for continuing an Act of General Aſſembly, entitled,* An *Act* for appointing Commiſſioners to let to farm the Exciſe throughout this Colony.

Paſs'd the 21ſt of July, 1715.

CHAP. CCCII.

Private. *An* ACT *declaring* John Sloſs *free from the Duty of Tonnage.*

Paſs'd the 21ſt of July, 1715.

CHAP. CCCIII.

Private. *An* ACT *to exempt* Hannah Martin, *Dr.* Chriſtian Cooper, *and Mr.* George Smith, *from paying of the Tax for Twelve Negroes imported from* South-Carolina.

Paſs'd the 21ſt of July, 1715.

CHAP. CCCIV.

Private. *An* ACT *to relieve* Robert Lurting, *Vendue-Maſter, of the Province of* New-York, *from divers Penalties, in a certain Act of General Aſſembly, made in the Twelfth Year of her late Majeſty, entitled,* An *Act* for laying a Duty on Goods ſold by publick Vendue, or Outcry. Paſs'd the 21ſt of July, 1715.

CHAP.

CHAP. CCCV.

1st GEORGE I. A.D. 1715.

Explained by Chap. 740.

An ACT *to oblige the Inhabitants of each particular Ward within the City of* New-York, *to make good their respective Quotas of all publick Taxes.*

Pass'd the 21st of July, 1715.

WHEREAS some of the Collectors and Constables of the City of *New-York*, who have had the Collecting of the Taxes, having got the Money into their Possession, have withdrawn and removed into other Parts with the Monies; and others have converted great Part thereof to their own private Uses, who have not Estate enough to make Reparation; which Loss to the Inhabitants of this City, is occasioned by a Remissness, and Neglect in not chusing able and responsible Men to serve in the said Offices, and heretofore has been made good by a fresh Levy upon the Inhabitants of the whole City: To the End therefore that this Remissness and Neglect be remedied for the future,

Preamble.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and Assembly, and by the Authority of the same*, That if hereafter, any Collector or Constable of any Ward within the said City, shall prove insolvent of the publick Taxes by him collected and received, or withdraw himself with the publick Money, so that it cannot otherwise he had and received; the Inhabitants of such Ward, as have chosen such Collector or Constable, so offending, shall make good the Loss and Damage in that Behalf, by a fresh Levy upon themselves, and not upon the Inhabitants of the whole City, as has been formerly; any Usage or Practice to the contrary in any wise notwithstanding.

Any Constable or Collector, proving Insolvent, or withdrawing himself with the Taxes, the Inhabitants of the Ward to make good the Damage.

II. **And be it further Enacted** *by the Authority aforesaid*, That all and every Person or Persons within the City of *New-York*, who shall be elected and chosen as a Collector or Constable, and shall refuse to execute that Office, every such Person or Persons, shall pay, as a Fine for every such Refusal, the Sum of *Fifteen Pounds*, current Money of this Colony, for the Use of the Corporation of the said City; to be levied by Warrant under the Seal of the said City, sign'd by the Mayor thereof for the Time being.

Every Collector or Constable refusing to execute the Office, shall pay £. 15, for the Use of the Corporation.

III. **Provided always**, That no Minister, Physician, Chirurgeon, Clerks of the Council, Assembly, and Courts, Attornies, or any Person that has served in a Superior Office in the Corporation of the said City, shall and may be elected for Constables or Collectors within the same; any Thing before in this Act to the contrary hereof in any wise notwithstanding.

What Persons exempted.

CHAP. CCCVI.

Expired the 21st of *July*, 1717.

An ACT *for the Destroying of Wolves in the County of* Orange.

Pass'd the 21st of July, 1715.

CHAP. CCCVII.

Expired the 21st of *July*, 1720.

An ACT *for the better Repairing the Fortifications of* Schenectady, *in the County of* Albany, *and providing their Military Watch with Firewood.*

Pass'd the 21st of July, 1715.

CHAP. CCCVIII.

See Chap. 149.

An ACT *for reviving and continuing an Act, entitled,* An *Act* to prevent the running away of Negro Slaves out of the City and County of *Albany*, to the *French* at *Canada*.

Pass'd the 21st of July, 1715.

1st *GEORGE* I. A. D. 1715.

CHAP. CCCIX.

Obsolete.

An ACT *for the appointing an Agent, and directing the Treasurer of this Colony to pay the Sum of* Five Hundred Ounces of Plate, *to* John Champantie, *Agent, to negociate the Affairs of this Colony at the Court of* Great-Britain.

Pass'd the 21st of July, 1715.

CHAP. CCCX.

See Chap. 183. Revived by Ch. 362.

An ACT *continuing an Act, entitled,* An *Act* for the easier Partition of Lands in Jointenancy, or in Common.

Pass'd the 21st of July, 1715.

CHAP. CCCXI.

Obsolete.

An ACT *for the Treasurer's paying several Persons therein named, and for paying the Excise in arrear to the Treasurer.*

Pass'd the 21st of July, 1715.

CHAP CCCXII.

Expired the 21st of *January*, 1716.

An ACT *for relieving the Inhabitants of* South-Carolina, *from the Duties laid and paid in this Colony of* New-York, *for such Goods, Slaves and Merchandize, as they shall import into this Colony during the Time of six Months.*

Pass'd the 21st of July, 1715.

CHAP. CCCXIII.

Expired the 21st of *July*, 1721.

An ACT *for the better Repairing the Fortifications of the City of* Albany, *providing their Military Watch with Firewood, and discharging of other the publick and necessary Charges of the said City.*

Pass'd the 21st of July, 1715.

The Twelfth ASSEMBLY.

2d *GEORGE* I. A. D. 1716.

SECOND SESSIONS.

CHAP. CCCXIV.

See Chap. 167. Continued by Chap. 398.

An ACT *for reviving an Act, entitled, An Act for the Encouragement of Whaling.*

Pass'd the 30th of June, 1716.

CHAP. CCCXV.

See Chap. 296.

Revived, by Ch: 334.

An ACT *for reviving an Act, entitled,* An *Act* for the Settling the Militia of this Province, and making it more useful for the Security and Defence thereof, and for repealing all former Acts heretofore made in this Province.

Pass'd the 30th of June, 1716.

CHAP.

2d GEORGE I. A. D. 1716.

CHAP. CCCXVI.

§ Chap. 151. Expired the first of *July*, 1730.

An ACT *for the Preserving of Deer in the County of* Ulster, *and reviving an* § *Act for the Preservation of Deer.*

Pass'd the 30th of January, 1716.

CHAP. CCCXVII.

An ACT *to prevent the selling and giving of Rum or other strong Liquors to the Indians.*

Pass'd the 30th of June, 1716.

CHAP. CCCXVIII.

Expired the 30th of *June*, 1721.

An ACT *for the building and erecting two Wooden Houses or Sheds, for the Accommodation of the Indians trading at* Albany, *and keeping them in good Repair.*

Pass'd the 30th of June, 1716.

3d GEORGE I. A. D. 1716.

CHAP. CCCXIX.

Repealed by a Clause in Chap. 583, which expir'd the first *December*, 1739.

An ACT *for destroying Wolves and Foxes in the County of* Westchester.

Pass'd the 1st of September, 1716.

Preamble.

FOR the better Encouragement of destroying Wolves and Foxes in the said County, than is assigned in an Act, entitled, *An* Act *for the Destroying of Wolves within this Colony*, made in the first Year of the Reign of our late Sovereign Queen ANNE, of glorious Memory;

For every Wolf destroyed by a Christian or Slave, in *Westchester* £.2. For every Wolf's Whelp, 10*s*. For a Fox, 3*s*. For a young Fox, 1*s*.6

I. **Be it Enacted therefore** *by his Excellency the Governor, Council, and General Assembly, and by the Authority of the same*, That from and after the Publication hereof, any Christian or Slave, who shall destroy or kill a Wolf or Wolves, their Whelp or Whelps, within the said County of *Westchester*, shall be paid for each Wolf so killed, the Sum of *Two Pounds*, current Money of this Colony; and for every Wolf's Whelp, the Sum of *Twenty Shillings* like Money; and *Three Shillings* for every Fox, and *Eighteen Pence* for every young Fox; to be raised, collected, and paid, in such Manner, and under such Restrictions and Regulations as are mentioned and expressed in the said Act.

To an Indian for destroying a Wolf, 20*s*. Wolf's Whelp, 10*s*. Fox, 1*s*.6 Young Fox, 9*d*.

II. **And be it further Enacted** *by the Authority aforesaid*, That any Indian who shall destroy a grown Wolf in the said County, shall be paid *Twenty Shillings*; and for every Wolf's Whelp, *Ten Shillings*; for every grown Fox, *Eighteen Pence*, and *Nine Pence* for every young Fox.

CHAP. CCCXX.

Expired the first *September*, 1731.

An ACT *for the better Repairing the Fortifications of the City of* Albany, *and providing their Military Watch with Firewood.*

Pass'd the 1st of September, 1716.

CHAP. CCCXXI.

Private.

An ACT *for discharging Col.* Kelyan Van Renselaer, *Major* Dirck Wessels, *and* Myndert Schuyler, *Esq; of the City of* Albany, *for and concerning the Provisions, Ammunitions, and other Stores of War formerly in their Hands, belonging to this Colony.*

Pass'd the 1st of September, 1716.

CHAP.

3d *GEORGE* I. A. D. 1716.

Obſolete.

CHAP. CCCXXII.

An ACT *for the Treaſurer's paying to his Excellency*, One Thouſand and Twenty-five Ounces of Silver Plate.

Paſs'd the 1ſt of September, 1716.

CHAP. CCCXXIII.

Revived Ch. 371.

An ACT *appointing an Agent for this Colony at the Court of* Great-Britain, *and raiſing of Monies annually to defray the Charge thereof, in the Room of* John Champantie, *Eſq; deceaſed.* Paſs'd the 1ſt of September, 1716.

CHAP. CCCXXIV.

Expired the firſt of *July*, 1720.

An ACT *to oblige all Veſſels trading into this Colony, except ſuch as are therein excepted, to pay a certain Duty, and for the further Explanation, and rendring more effectual, certain Clauſes in an Act of General Aſſembly of this Colony, entitled,* An *Act* by which a Duty is laid on Negroes, and other Slaves imported into this Colony. Paſs'd the 1ſt of September, 1716.

3d *GEORGE* I. A. D. 1717.

Obſolete. Provided for by Chap. 387.

CHAP. CCCXXV.

An ACT *nominating Commiſſioners to let to farm the Exciſe throughout the Colony.*

Paſs'd the 1ſt of September, 1716.

CHAP. CCCXXVI.

Revived Ch. 368.

An ACT *for laying a Duty on Goods ſold by Auction, Vendue or Outcry.*

Paſs'd the 14th of May, 1717.

CHAP. CCCXXVII.

Obſolete.

An ACT *to enable the Mayor, Aldermen, and Commonalty of the City of* New-York *to raiſe the Sum of* Five Hundred Pounds, *for altering the Courſe of the Common Sewer at the End of* Broad-Street, *and for cleanſing and ſcowering the Dock of this City.* Paſs'd the 14th of May, 1717.

That Part that reduced Intereſt to 6 per Cent. *repeal'd by* Ch. 360. *and the whole Act expired 27th* May, 1722.

CHAP. CCCXXVIII.

An ACT *for the Reſtraining the Taking of extravagant and exceſſive Uſury.*

Paſs'd the 27th of May, 1717.

Private,

CHAP. CCCXXIX.

An ACT *to enable* Mary, *the Widow and Executrix of* John Corbet, *deceaſed, to convey and aſſure a certain Dwelling-Houſe and Tenement, and the Ground thereunto belonging, ſituate and being on the Weſt Side of the* Broad-Street, *in the City of* New-York. Paſs'd the 27th of May, 1717.

Private,

CHAP. CCCXXX.

An ACT *declaring a Sloop now upon the Stocks in the Colony of* Connecticut *belonging to Mr.* Jacob Moene, *free from the Duty of Tonnage.*

Paſs'd the 27th of May, 1717.

CHAP.

3d GEORGE I. A. D. 1717.

CHAP. CCCXXXI.

Private.

An ACT *declaring the Sloop called the* Good-intent, *built at* Newport *in* Rhode-Island, *belonging to Messrs.* Benjamin Fannuel, Thomas Bayeux, Andrew Fresneau, *and* David Minivielle, *free from the Duty of Tonnage.*

Pass'd the 27th of May, 1717.

CHAP. CCCXXXII.

Obsolete.

An ACT *for building a County-House and Prison, in* Dutchess *County.*

Pass'd the 27th of May, 1717.

CHAP. CCCXXXIII.

An ACT *for annexing that Part of the Manor of* Livingston, *which now lies in* Dutchess *County, unto the County of* Albany.

Pass'd the 27th of May, 1717.

Preamble.

WHEREAS the Manor of *Livingston* being situate on the East Side of *Hudson*'s River, in this Colony, is Part thereof in *Dutchess* County, which renders the Administration of Justice sometimes difficult;

The Manor of *Livingston* made a Part of the County of *Albany*. The Bounds of the said Manor to terminate the County of *Albany* on the East Side of *Hudson's-River*, opposite to where the *Sawyer's-Creek* ends on the West. Reserving to the Proprietor of the said Manor, all Privileges granted by his Majesty and his Predecessors.

I. **Be it Enacted** *by the Governor, Council, and General Assembly, and by the Authority of the same*, That from and after the Publication of this Act, the Manor of *Livingston* shall be, and for ever remain and be annexed to the County of *Albany*, and be accounted as Part, Parcel, and Member thereof; which Bounds of the said Manor, shall end and terminate the County of *Albany*, on the East Side of *Hudson*'s River, as the *Sawyer's-Creek* doth terminate the same on the West Side thereof, lying opposite the one to the other; always reserving to the Proprietor of the said Manor, his Heirs and Assigns, all such Franchises, Privileges, and Immunities, which have from Time to Time been granted to him, his Heirs and Assigns, from his present Majesty King GEORGE, and his Royal Predecessors, Kings and Queens of *England*.

Power given to the Inhabitants of the said Manor to elect yearly a Supervisor, Treasurer, Assessor and Collector, with the same Power, and subject to the like Penalties as the Supervisor, *&c.* in the several Counties.

II. **Be it further Enacted** *by the Authority aforesaid*, That for the better Defraying the common and necessary Charge of the said Manor of *Livingston*, that it shall and may be lawful for the Inhabitants of the Manor of *Livingston*, to elect and chuse, yearly and every Year, one Supervisor, one Treasurer, one Assessor, and one Collector, for the said Manor, who shall have the same Power, Authority, Office and Function, and do, perform, execute and serve, and be liable to the same Pains and Penalties, as the Supervisors, Treasurers, Assessors, and Collectors, of the several and respective Counties within the Colony, have, ought, or are intended to have, do, perform, and be liable to, by one certain Act of General Assembly, passed in the Year of our Lord One Thousand Seven Hundred and Three, entitled, *An* Act *for the better explaining, and more effectual putting in Execution, an Act made in the third Year of the late King* WILLIAM *and Queen* MARY, *of glorious Memory, entitled*, An *Act* for defraying the publick and necessary Charge throughout this Province, and for maintaining the Poor and preventing Vagabonds.

The Wages of the Representative of said Manor to be equal to those of any Manor, City, *&c.* within this Province.

III. **And be it further Enacted** *by the Authority aforesaid*, That the Wages and Charges of their Representative, or Deputy in General Assembly, shall be equal with any Manor, City, Borough, or County, in this Province; and the Inhabitants of the same Manor, shall only be liable to defray the Wages and Charge of their own Representative, or Deputy in General Assembly, and not otherwise; but shall not be excused from any other publick County Charge.

The Inhabitants liable to defray the Charge of their Representative, and no other; but not excused from any other publick County Charge.

3d *GEORGE* I. A. D. 1717.

Proviſo That part of the Manor formerly in *Dutcheſs* County not exempted from Payment of their Taxes and Arrears heretofore due, but the ſame to be levied in the uſual Method.

IV. **Provided always, and it is hereby further Enacted,** That this Act, nor any Part thereof, ſhall be conſtrued to extend to exempt that Part of the Manor of *Livingſton*, formerly in the County of *Dutcheſs*, from paying and diſcharging all Taxes, and Arrears of publick Taxes and Dues, due, laid or payable, before the Publication of this Act; and ſhall be levied, in Caſe of Refuſal of Payment, in the ſame Method and Manner as uſual, and as tho' this Act had never been made; any Thing herein to the contrary hereof, in any wiſe notwithſtanding.

CHAP. CCCXXXIV.

See Chap. 315. Revived, Ch. 357

An ACT *reviving an Act, entitled,* An *Act* for the better Settling the Militia of this Province, and making it more uſeful for the Security and Defence thereof; *and for repealing all former Acts heretofore made in this Province, relating to the ſame.*

Paſs'd the 27th of May, 1717.

CHAP. CCCXXXV.

See Chap. 282 Expired the firſt of *May*, 1720

An ACT *reviving an Act, entitled,* An *Act* for encouraging the Indian Trade at *Albany.*

Paſs'd the 27th of *May*, 1717.

CHAP. CCCXXXVI.

Private.

An ACT *for exempting the Pink* Charlotte *from paying the Duty of Tonnage.*

Paſs'd the 27th of May, 1717.

CHAP. CCCXXXVII.

Private.

An ACT *to clear a Sloop upon the Stocks, in the Province of* New-Jerſey, *belonging to Col.* John Johnſton, *from the Duty of Tonnage.*

Paſs'd the 27th of May, 1717.

4th *GEORGE* I. A. D. 1717.

Private.

CHAP. CCCXXXVIII.

An ACT *exempting the Snow or Veſſel called the* Leghorn, *from paying the Duty of Tonnage.*

Paſs'd the 2d of November, 1717.

CHAP. CCCXXXIX.

Private.

An ACT *exempting the Sloop* Mary and Hannah *from paying the Duty of Tonnage.*

Paſs'd the 2d of November, 1717.

CHAP. CCCXL.

The Allowance in this Act was for Services done before the making of it; and it is Obſolete.

An ACT *for an Allowance to the Repreſentative of the Townſhip of* Schenectady, *in the County of* Albany.

Paſs'd the 2d of November, 1717.

CHAP.

CHAP. CCCXLI.

4th GEORGE I. A.D. 1717.

An ACT *for explaining and rendering more effectual an Act of the General Assembly of this Colony, entitled,* An *Act* for preventing, suppressing, and punishing the Conspiracy and Insurrection of Negroes, and other Slaves.

Pass'd the 2d of November, 1717.

Act referred to See Chap. 250. Repealed by Chap. 560.

CHAP. CCCXLII.

An ACT *for paying* Johannes Janſen, David Provoost, *and* Leonard Lewis, *Esqrs. the Arrears due to them for their Services in the General Assembly, as Representatives for the City and County of* New-York.

Pass'd the 2d of November, 1717.

Obsolete and Private.

CHAP CCCXLIII.

An ACT *for regulating the Ferry between the City of* New-York, *and the Island* Nassau.

Pass'd the 2d of November, 1717.

Revived Ch. 475.

CHAP. CCCXLIV.

An ACT *for paying the Executors of* Thomas Coddrington, *Esq; the Arrears due for his Service in the General Assembly, from the fourteenth of* June, 1705, *till the twenty-seventh Day of* September, 1708.

Pass'd the 2d of November, 1717.

Private.

CHAP. CCCXLV.

An ACT *to encourage the destroying of Foxes and Wild-Cats in* Kings *County,* Queens *County, and County of* Suffolk.

Pass'd the 2d of November, 1717.

Further Provision for the Destruction of Wild-cats in Suffolk. See Chap. 690.

I. BE it Enacted *by the Governor, Council, and General Assembly, and by the Authority of the same,* That from and after the Publication hereof, any Person or Persons whatsoever, who shall destroy any Wild-cat or Wild-cats, their Catling or Catlings, any Fox or Foxes, their Puppy or Puppies, in the County of *Suffolk*, *Queens* County, and *Kings* County, shall receive, as a Reward for each Wild-cat, *Nine Shillings*, and for each of their Catlings, *Four Shillings*; for every Fox *Five Shillings and Six-pence*, and for each of their Puppies, *Two Shillings and Three-pence*.

The Reward for destroying Wild-cats and Foxes, in *Suffolk*, *Queens*, and *Kings* County.

II. And for the effectual paying of the said Rewards, Be it Enacted *by the Authority aforesaid*, That the same Methods and Rules, Penalties, and Forfeitures, shall be used in all Respects, as are expressed and contained in one Act of General Assembly, made in the first Year of the Reign of our late Sovereign Lady Queen ANNE, of glorious Memory, entitled, *An* Act *for destroying of Wolves in this Colony*.

How the Rewards are to be paid.

CHAP. CCCXLVI.

An ACT *for letting to farm the Excise of this Colony, for the Term of five Years, and to enable the Farmers thereof, effectually to collect the same.*

Pass'd the 9th of November, 1717.

Expired the ninth of *November*, 1722

CHAP.

4th *GEORGE* I.
A. D. 1717.

CHAP. CCCXLVII.

An ACT *for paying and discharging several Debts due from this Colony, to the Persons therein named; and for raising and putting into the Hands of the Treasurer of this Colony, several Quantities of Plate, to be applied to the publick and necessary Uses of this Colony, and to make Bills of Credit to the Value of* Forty-one Thousand Five Hundred and Seventeen Ounces and an Half of § Plate, *for that Purpose.* Pass'd the 23d of December, 1717.

Confirm'd 19th of *May*, 1720.

§ *Equal to £.* 16607 *Currency.*

Provision made for the torn Bills, Chap. 450.

The Currency of these Bills was limited to the End of the Year 1739, *if the Funds for sinking them, did not sooner answer that End.*

Preamble.

WHEREAS by one Act of the General Assembly of this Province, made in the Thirteenth Year of the Reign of her late Majesty Queen ANNE, of immortal Memory, entitled, *An* Act *for the Paying and Discharging the several Debts, and Sums of Money claimed as Debts of this Colony, to the several Persons therein named, and to make and enforce the Currency of Bills of Credit, to the Value of* Twenty Seven Thousand Six Hundred and Eighty Pounds, *for that Purpose; also to make void all Claims and Demands made, or pretended to be due from this Colony, before the first Day of* June, *One Thousand Seven Hundred and Fourteen*, &c. It was, amongst other Things, Enacted, That all Persons whatsoever, except such as were appointed to be paid by that Act, should for ever be precluded and debarr'd, from pretending or making any Claim for the Payment for any Service or Services, Goods, Wares, Merchandize or Effects, done, advanced, or expended by them, or any of them, their, or either of their Predecessors, Constituents, or Employers, or by any Person or Persons whatsoever, for the Use of this Colony, at any Time before the said first Day of *June*, One Thousand Seven Hundred and Fourteen: And whereas it is manifest, that several Services have been done for the Government of this Colony, and several Goods, Wares, and Merchandizes, advanced for the publick and necessary Uses of the same, for all which nevertheless, no Reward or Payment was at that Time claimed or demanded; which was occasioned either by the Remoteness of the Habitations of several of the Claimants, who were dwelling and residing in the neighbouring Colonies and Plantations, or by the Death of several Persons entitled to make such Demands, whose Widows or Children were not at that Time able to make the Justice of their Claims appear, for want of certain Books and Vouchers, that have since been discovered, and which nevertheless was as justly due from this Colony, as any of the Sums paid by Virtue of the Act before mentioned: And whereas several Companies of Soldiers were imployed in the Time of his late Majesty, our glorious Deliverer, WILLIAM the Third, of blessed Memory, by the then Government of this Colony, for the necessary Service and Defence thereof, some of the Superior Officers of which Companies have been paid by the Directions and Virtue of the Act aforesaid; but the Inferior Officers, and private Centinels, who being for the greater Part indigent Persons, and many of them living remote, and the Sums due to them being but small, could not leave the Attendance on the Provision for their Families, to solicit the Payment of their Dues; and neither the Persons remaining alive, who had served in such Companies, nor the Widows and Orphans of such of them as were deceas'd, being able, for want of the Books and Vouchers aforesaid, since discovered, fully and clearly to make out the Equity of their Claims, were by the then General Assembly of this Colony, not taken any Notice of, because the said Assembly were not inform'd of the equal Reasonableness and Justice of their said Claims, with others their Superior Officers, who were directed to be paid by the aforesaid Act: And whereas several of the Persons paid by the Direction of the Act aforesaid, have Claim for Services by them done, and Goods and Merchandizes by them advanced, for

4th GEORGE I. A. D. 1717.

for the publick Service of this Colony; which Claims were equally just with those for which they were paid, but could not at that Time be made appear, for want of the Books and Vouchers since discovered, as aforesaid; the Payment of all which Claims has been recommended to the Representatives of this Colony in General Assembly convened, by his Excellency the Governor, in his Speech to them of the fifth of *June*, One Thousand Seven Hundred and Sixteen: And whereas several Persons, appointed to be paid several Sums of Money by the Act of the Thirteenth of Queen ANNE aforesaid, did not come within the Time limited by the said Act, for the Receiving of the same; which was in Part occasioned by the Remoteness of some of the said Person's Habitations, from the Treasury of this Colony; in Part because several of them having died Intestate, and no Persons taking out Letters of Administration on their Goods and Chattels, the Sums they were to receive being not sufficient to defray the Charges of such Administration; in Part from some Defect in the appointing the Payment of the said Sums; so that the Quantity of Seventeen Hundred Ninety-seven Ounces, Eight Penny Weight, and Twenty Grains of Plate, has been thereby left in the Hands of the Treasurer, whereof Sixteen Hundred Eighty-five Ounces, One Penny Weight, and Six Grains, is hereby applied to the publick Use of this Colony, in paying of the said Treasurer for his Care and Pains in paying and sinking the Bills of Credit made current by the Act aforesaid, for the Purposes therein mentioned, and in which no Provision was made for a Reward to be given the said Treasurer; and One Hundred and Twelve Ounces, Seven Penny Weight and Fourteen Grains, in paying *Cornelius Post*, and *Samuel Provoſt*, by Order of the General Assembly of this Province, for publick Services; which Sums were nevertheless due to the said Persons, and they are left Remediless, unless provided for by this Act: And whereas the Partition Lines between this Colony and the Colony of *Connecticut*, and between this Colony and the Colony of *New-Jersey*, are necessary to be known and ascertained, in order that such of the Inhabitants of this Colony, whose Estates or Habitations are adjacent to, and border on the said Partition Lines, may peaceably, and without Molestation, enjoy the Fruits of their Industry; and that the Government may not be defrauded of the publick Taxes that may arise and become due from the said Inhabitants, by their pretending that they do not dwell within this Colony: And whereas there is not at this Time, any Money in the Hands of the Treasurer of this Colony, but what is appropriated to particular Uses, and that it is requisite, for the Service of this Colony, that there be some Sum of Money lodged in his Hands, as well for the Payment of the Salary of *Ambrose Philips*, Esq; Agent of this Colony, or the Agent of this Colony for the Time being, as for the Answering any sudden Exigency of this Colony that may happen, and cannot so soon otherwise be provided for by an Act of the General Assembly of this Province: In order therefore to pay the Claims and several Demands now made, and upon strict Search and Examination, found to be equally due with any others that have been paid by Virtue of the aforesaid Act, and to make proper and sufficient Provision for the Purposes before mentioned;

I. **Be it Enacted** *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That Bills of Credit to the Value of *Forty-one Thousand Five Hundred and Seventeen Ounces and an Half* of the *Spanish* Coins of *Sevil*, *Mexico*, or *Pillar* Plate, be forthwith printed and signed, *to wit.* One Thousand Three Hundred and Ninety-one, of Ten Ounces of Plate aforesaid; One Thousand, of Seven Ounces and Ten Penny Weight aforesaid; One Thousand, of Five Ounces of Plate aforesaid; One Thousand, of Two Ounces and Ten Penny Weight of Plate aforesaid; One Thousand, of Two Ounces of Plate aforesaid; One Thousand, of One Ounce and Ten Penny Weight of Plate aforesaid; One Thousand, of One Ounce and Five Penny

Bills to be made.

Their Numbers & Valuations.

4th *GEORGE* I. A. D. 1717.

Weight of Plate aforeſaid; Two Thouſand Two Hundred, of One Ounce of Plate aforeſaid; Three Thouſand, of Fifteen Penny Weight of Plate aforeſaid, Four Thouſand, of Ten Penny Weight of Plate aforeſaid; Five Thouſand Six Hundred and Thirty, of Five Penny Weight of Plate aforeſaid: Which Bills ſhall be impreſt in the Middle, with the Arms of the City of *New-York*; and on the Top of each of them, ſhall be printed the Quantity of Plate they ſhall go current for, and ſhall be in the Form following, *viz.*

The Form of them

THIS Bill of-------Ounces-------Penny Weight of Plate, due from the Colony of New-York, *to the Poſſeſſor thereof, ſhall be in Value equal to* Sevil, Pillar, *or* Mexico *Plate, and ſhall be accepted accordingly by the Treaſurer of this Colony for the Time being, for all publick Payments, and for any Fund at any Time in the Treaſury. Dated in* New-York, *the Twenty-eighth Day of* November, *One Thouſand Seven Hundred and Seventeen, by Order of the Governor, and Council, and General Aſſembly.*

The Signers.

WHICH Bills ſhall be ſigned and numbered by *Robert Walters*, *Johannes Janſen*, *David Provoſt*, and *John Cruger*, Eſquires, or any Three of them; and in Caſe of the Death of any of the ſaid Perſons, the ſaid Bills ſhall be ſigned and numbered by the major Part of the Perſons above mentioned, then alive.

II. **And be it Enacted** *by the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the Bills of Credit to be made and iſſued by Virtue of this Act, ſhall be and continue current for the Term and Space of twenty-two Years; *That is to ſay*, until the Year of our Lord Chriſt, One Thouſand ſeven Hundred and thirty-nine, be ended, if the Funds ariſing by this Act for the yearly Sinking of Part of the ſaid Bills do not ſooner anſwer that End; and ſhall be received and paid for ſo many Ounces or Penny Weights of Plate, as the Value of them is ſaid to be, and be of equal Value to the ſame Quantity of *Sevil*, *Pillar*, or *Mexico* Plate, for Goods, or any other Thing bought or ſold by all Perſons whatſoever, reſiding in, or paſſing through this Colony; and the Tender of the ſaid Bills for Payment or diſcharging of any Debt or Debts, Bargain, Sale of Land, or other Things, Bonds, Mortgages, Specialties, and Contracts whatſoever, ſhall be as effectual in the Law, to all Intents and Purpoſes, as if the current Silver Plate, or other Bills of Credit of this Colony, had been offered and tendred for the Diſcharge of the ſame, or any Part thereof; and any Perſon or Perſons whatſoever, refuſing any the ſaid Bills of Credit, during the Time they are by this Act appointed to be made current, ſhall be equally debarred, and ſubject to the ſame Penalties and Forfeitures, as if the ſaid Perſon or Perſons had refuſed any the Bills of Credit made current by the Act of the Thirteenth of Queen ANNE aforeſaid, entitled, *An* Act *for the Paying and Diſcharging the ſeveral Debts, and Sums of Money claimed as Debts of this Colony*, &c. and the ſaid Penalties and Forfeitures ſhall be recovered in the ſame Manner, and applied to the ſame Uſes, as is directed in and by the ſaid Act of the Thirteenth of Queen ANNE aforeſaid.

The Limitation of their Currency.

To be received in all Payments, and

The Tender of them to be legal.

The Penalty on thoſe that refuſe them.

III. **And be it Enacted** *by the Authority aforeſaid*, That the Perſons appointed for the Signing of the ſaid Bills of Credit, ſhall make an Oath before any one Juſtice of the Peace of this Colony, for the true Signing and Delivery of all the ſaid Bills of Credit, and no more than the Number mentioned in this Act, to the Treaſurer of this Colony, according to the true Intent and Meaning of this Act.

The Signers to be ſworn, &c.

IV. **And be it Enacted** *by the Authority aforeſaid*, That *Robert Walters*, *David Provoſt*, *Johannes Janſen*, and *John Cruger*, Eſquires, appointed hereby to ſign the Bills of Credit made current by this Act, ſhall, for ſuch their Services, have paid

aid to each of them, or each of their Executors or Aſſigns, by the Treaſurer foreſaid, in Bills of Credit made current by this Act, the Quantity of One Hundred and Seventy-five Ounces of Plate aforeſaid, as a Reward for their Trouble, in ſigning and numbring the Bills aforeſaid.

And paid for their Services.

V. **And be it Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons whatſoever, ſhall preſume to counterfeit any of the ſaid Bills of Credit, he, ſhe, or they, being convicted thereof, ſhall incur the Pains and Penalties of Felony, without Benefit of Clergy, and ſhall ſuffer accordingly.

The Clergy taken from thoſe who counterfeit them.

VI. AND for the effectual ſinking, cancelling, and deſtroying the Bills of Credit aforeſaid, made current by this Act; **Be it Enacted** *by the Governor, Council, and General Aſſembly, and by the Authority of the ſame*, That there ſhall be given and granted, and there is hereby given and granted unto his Majeſty, his Heirs, and Succeſſors, from the firſt Day of *November*, which ſhall be in the Year of our Lord One Thouſand Seven Hundred and Thirty-four, until the firſt Day of *November*, which ſhall be in the Year of our Lord One Thouſand Seven Hundred and Thirty-nine, for the Uſe above mentioned, an Exciſe upon Liquors retailed throughout this Colony, under the Quantity of *Five Gallons*, (Beer and Cyder only excepted) *to wit*, the eighth Part of an Ounce of *Sevil*, *Pillar*, or *Mexico* Plate, for each Gallon ſo retailed; and likewiſe three Quarters of an Ounce of like Plate, for every Barrel of Beer and Cyder; which ſaid five Years Exciſe, is to be levied, collected, and paid, under the ſame Pains, Penalties, Regulations, Reſtrictions, Conditions, and Forfeitures, and in like Manner and Method, as is preſcribed and directed, by an Act paſſed in the Twelfth Year of the Reign of her late Majeſty Queen ANNE, of immortal Memory, entitled, *An* Act *for laying an Exciſe on all ſtrong Liquors retailed in this Colony*.

The Method for ſinking them.

VII. **And be it further Enacted** *by the Authority aforeſaid*, That there be levied, raiſed, collected, and paid, the reſpective Duties and Cuſtoms hereafter ſpecified, which are hereby given and granted unto his Majeſty, his Heirs and Succeſſors, for the Space and Term of Seventeen Years, to commence from the Time of paſſing this Act, *that is to ſay*, For every Pipe of Wine that ſhall be imported into this Colony, One Ounce, and a Quarter of an Ounce of Plate, of the *Spaniſh* Coins of *Sevil*, *Pillar*, or *Mexico* Plate, or the Value thereof in Lion Dollars, or Half Dollars, or in Bills of Credit current in this Colony; and ſo in Proportion, for any greater or ſmaller Quantities imported, as aforeſaid: For every Gallon of Rum, Brandy, or other diſtilled Liquors, imported into this Colony, Two Grains and an Half of like Plate: Which Duties ſhall be levied, collected, and paid, under the ſame Pains, Penalties, Regulations, Reſtrictions, Conditions, and Forfeitures, and in like Manner and Method, as is preſcribed and directed in and by an Act paſſed in the Thirteenth Year of her late Majeſty's Reign, entitled, *An* Act *for levying and paying the ſeveral Duties therein mentioned, for the Uſe of this Colony*.

Duties and Cuſtoms to be levied, given to his Majeſty for 17 Years.

VIII. **And be it further Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony ſhall keep Accounts of the Duties hereby given on Wine, Rum, Brandy, and other diſtilled Liquors, ſeparate and diſtinct from the Accounts of the Duties already granted on the ſaid Liquors of the aforeſaid Act, paſſed in the Thirteenth Year of her late Majeſty's Reign, entitled, *An* Act *for levying and paying the ſeveral Duties therein mentioned*.

Treaſurer to keep Account of the Duties.

IX. **And be it further Enacted** *by the Authority aforeſaid*, That in Caſe the Exciſe given and granted in and by the aforeſaid Act of Aſſembly, paſſed in the Twelfth Year of her late Majeſty's Reign, entitled, *An* Act *for laying an Exciſe on all ſtrong Liquors retailed in this Colony*, ſhall amount unto a greater Sum than will

4th *GEORGE* I. A. D. 1717.

will be ſufficient to ſink, cancel, and deſtroy the Bills of Credit made current by the aforeſaid Act of Aſſembly, entitled, *An* Act *for the Paying and Diſcharging the ſeveral Debts, and Sums of Money claimed as Debts of this Colony, to the ſeveral Perſons therein named; and to make and enforce the Currency of Bills of Credit, to the Value of* Twenty-ſeven Thouſand Six Hundred and Eighty Pounds, *for that Purpoſe; alſo to make void all Claims and Demands made, or pretended to be due from this Colony, before the firſt Day of* June, *One Thouſand Seven Hundred and Fourteen; and to prevent this Colony from being in Debt for the future:* That then, and in ſuch Caſe, the ſaid Sum or Sums of Money remaining in the Hands of the Treaſurer, over and above what will be ſufficient to ſink, cancel, and deſtroy the ſaid Bills, ſo as aforeſaid, made current by the aforeſaid Act of Aſſembly, ſhall be, by the ſaid Treaſurer, given in Exchange for Bills of Credit made current by this Act; which ſaid Bills ſhall be ſunk, cancelled and deſtroyed, in like Manner as is herein after directed.

If the ſinking Fund ſhall overrun the Bills hereby raiſed, the Treaſurer to pay the Ballance in favour of the ſinking Fund, in Exchange for Bills of Credit.

X. **And be it Enacted** *by the Authority aforeſaid,* That all and ſingular the Quantities of Plate ariſing by Virtue of this Act, by the Exciſe upon Strong Liquors above mentioned, and by the Duty upon Wine, Rum, Brandy, or other diſtilled Liquors before mentioned, ſhall be applied to and for the ſinking, cancelling, and deſtroying the Bills of Credit aforeſaid, made current by this Act, and ſhall, by the Treaſurer of this Colony for the Time being, be given in Exchange for ſuch Bills of Credit aforeſaid, to any Perſon or Perſons who ſhall, during the Time aforeſaid, have any the ſaid Bills of Credit in their Hands, in order that the ſaid Bills be ſunk and deſtroyed, as by this Act is directed.

The Money raiſed by the Exciſe, &c. in this Act, to be appli'd for ſinking the Bills made by it, &c.

XI. And that the ſaid Bills of Credit may be truly and *Bona Fide* ſunk, as the Fund ariſing by Virtue of this Act is paid unto the Treaſurer of this Colony for the Time being, **Be it Enacted** *by the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority aforeſaid,* That *Robert Walters, David Provoſt, Johannes Janſen,* and *John Cruger,* Eſquires, aforeſaid, or the major Part of them living, or that ſhall be living, ſhall twice yearly, and every Year, *to wit,* on the firſt Day of *March,* and on the firſt Day of *September,* audit the Accounts of the Money received by Virtue of this Act, and ſhall, within one Week thereafter, affix Advertiſements in the moſt publick Places of the City of *New-York,* ſetting forth what Quantity of Plate has been received, and is in the Treaſurer's Hands by Virtue of this Act; which Plate ſhall, by the Treaſurer aforeſaid, be given in Exchange for Bills of Credit made current by this Act, to any Perſon or Perſons bringing in the ſame; and the ſaid Bills of Credit ſhall, on or before the Expiration of one Month after the Time of ſuch Audit, be ſunk and deſtroyed in Preſence of *Robert Walters, David Provoſt, Johannes Janſen,* and *John Cruger,* Eſquires, aforeſaid, or the major Part of them then alive, appointed by this Act to audit the Accounts of the ſaid Treaſurer, having firſt compared the ſaid Bills of Credit with their Counterparts, and entred into a Book, to be kept for that Purpoſe, the Number and Value of each Bill of Credit ſo ſunk and deſtroyed: But if it ſo happen, that all, or any Part of the Sums ariſing by Virtue of this Act, ſhall be paid unto the Treaſurer of this Colony, in Bills of Credit made current by this Act; that then, and in ſuch Caſe, the ſaid Bills ſhall be ſunk in Manner aforeſaid, immediately after the ſaid Account of the Treaſurer is audited; and publick Notice ſhall be given of the Value of the Bills ſo ſunk and deſtroyed, as alſo of the Quantity of Plate in his Hands, (if any be) within the Time before preſcribed; and each of the Auditors appointed by this Act, to audit and examine the Accounts of the ſaid Treaſurer, with Relation to the Money received by Virtue of this Act, and to ſee, compare, and ſink the Bills of Credit, as by this Act is directed, ſhall take the following Oath, *viz.*

I. A. B.

For which Purpoſe, the Signers ſhall audit the Treaſurer's Accounts twice a Year; & advertiſe the Quantity of Plate in the Treaſurer's Hands

4th GEORGE I. A. D. 1717.

The Oath of the Persons to audit the Treasurer's Accounts.

I A. B. *appointed to audit and examine the Accounts of the Treasurer of this Colony, will truly, faithfully, and impartially, examine and audit the same Accounts, and compare and sink the said Bills of Credit, as directed by this Act; and will truly and faithfully do and perform, according to my best Skill and Ability, every Thing directed and appointed by this present Act, for me, as Auditor, to do and perform.* So help me GOD.

The Payment for their Services.

XII. **And be it further Enacted** *by the Authority aforesaid*, That each of the Persons before named, appointed to audit and examine the Accounts of the Treasurer, as aforesaid, shall, for such Examination and Auditing, receive the Sum of *Five Ounces of Plate*, each Time of their Examining and Auditing such Accounts; to be paid by the said Treasurer, out of the Fund arising and accruing by Virtue of this Act.

Treasurer to keep Accounts of Money paid by him, &c.

XIII. **And be it further Enacted** *by the Authority aforesaid*, That the Treasurer of this Colony for the Time being, shall keep an exact Account of the particular Quantities of Plate paid by Virtue of, and according to the Directions of this Act, with Receipts and Discharges, from the Person or Persons, their Executors or Assigns, to whom the said Quantities of Plate have been paid, to be produced by him at all Times, for View and Examination of the Governor, Council, and General Assembly of this Colony, or either of them, on Penalty of making good and refunding any Sum or Sums of Money which shall not be so vouched and discharged, according to the true Intent and Meaning of this Act.

The Payments to be made.

XIV. **And be it Enacted** *by the Authority aforesaid*, That the Treasurer of this Colony for the Time being, shall pay in the Bills of Credit made current by this Act, unto each of the Persons hereafter named, or each of their Executors or Assigns, the several Quantities of Plate hereafter expressed; *That is to say*;

[*Here follow the several Payments in the Bill mentioned, and to whom.*]

CHAP. CCCXLVIII.

Expired the 3d *December*, 1720.

An ACT *to prohibit the Exportation of raw Hides from this Colony.*
Pass'd the 23d of December, 1717.

CHAP. CCCXLIX.

Private.

An ACT *to invest the Property of a certain Dwelling-House, and Ground thereunto belonging, in the City of* New-York, *in* Daniel *and* Christopher, *the Sons of* Daniel Robert, *deceased.*
Pass'd the 23d of December, 1717.

CHAP. CCCL.

Private.
Expired the 23d *December*, 1722.

An ACT *reviving an Act, entitled,* An *Act* prohibiting all Persons but *John Parmyter*, and his Assigns, to make Lamp-Black, during the Space of five Years.
Pass'd the 23d of December, 1717.

CHAP. CCCLI.

Private.

An ACT *for the further Enabling* Thomas Whitehead, *to sell and dispose of some Part of the Lands devised to him by his Father, under the Limitation of a General Intail.*
Pass'd the 23d of December, 1717.

4th *GEORGE* I.
A. D. 1718.

CHAP. CCCLII.

Revived Ch. 473. *An* ACT *to prevent ſmall Stallions running at large, and to geld all Horſes under the Size therein mentioned.*

Paſs'd the 3d of July, 1718.

CHAP. CCCLIII.

An ACT *for an Allowance to the Repreſentative of the Townſhip of* Schenectady, *in the County of* Albany.

Paſs'd the 3d of July, 1718.

I. BE it Enacted *by the Governor, Council, and General Aſſembly, and by the Authority of the ſame,* That the Repreſentative of the Townſhip of *Schenectady*, ſhall be allowed for his Service and Attendance in the General Aſſembly of this Province, *Ten Shillings per* Day; to commence from the fifteenth Day of *May* laſt, in the Year of our Lord One Thouſand Seven Hundred and Eighteen, and at no Time to exceed eight Days for his Coming, and eight Days for his Returning.

II. And be it further Enacted *by the Authority aforeſaid,* That his Wages and Allowance ſhall be levied, aſſeſſed, raiſed and paid, in ſuch Manner and Form as is directed by an Act of the ſecond Year of Queen ANNE, entitled, *An Act for the better Explaining and more effectual putting in Execution, an Act of General Aſſembly made in the third Year of the late King* WILLIAM *and Queen* MARY, *entitled,* An *Act* for defraying the publick and neceſſary Charge throughout this Province; and for maintaining the Poor, and preventing Vagabonds.

CHAP CCCLIV.

An ACT *for granting to the Freeholders and Inhabitants of the Precincts of* Catſkill *and* Coxhackey, *in the County of* Albany, *the Privilege of chuſing yearly a Superviſor.* Paſs'd the 3d of July, 1718.

I. BE it Enacted *by the Governor, Council, and General Aſſembly, and by the Authority of the ſame,* That it ſhall and may be lawful for the Inhabitants of the Precinct of *Catſkill* and *Coxhackey*, and all of the Inhabitants dwelling to the Southward of *Renſlaerwick*, on the Weſt Side of *Hudſon*'s River, as far as the County of *Albany* extends, to elect and chuſe one Superviſor; and that the Juſtice of the Peace for the Precinct aforeſaid, ſhall, and is hereby required to iſſue his Warrant to the Conſtable of the ſaid Precinct, to give Warning to the Freeholders and Inhabitants in the ſaid Precinct thereof, to aſſemble and meet at ſuch convenient Place as the Juſtice ſhall appoint, on the third *Tueſday* of *Auguſt* next, there to make Choice of, and elect one Superviſor, who ſhall ſerve till the firſt *Tueſday* in *April* then next following; and afterwards, the Superviſor for the ſaid Precinct, to be elected and choſen yearly, and every Year, in the ſame Manner and Form, as the other Superviſors are elected and choſen in the ſaid County of *Albany*, and ſhall have the ſame Power, Authority, Office, and Function, and do, perform, execute, and ſerve, in Conjunction with the Reſt of the Superviſors, in the County aforeſaid, when Occaſion ſhall require, and be liable to the ſame Pains and Penalties, as the Superviſors of the ſeveral and reſpective Counties within this Colony, have, ought, or are intended to have, do, perform, and be liable to, by one certain Act of General Aſſembly, paſſed

paſſed in the Year of our Lord One Thouſand Seven Hundred and Three, entitled, *An* Act *for the better Explaining, and more effectual putting in Execution, an Act made in the third Year of the late King* WILLIAM *and Queen* MARY, *of glorious Memory, entitled,* An *Act* for defraying the publick and neceſſary Charge throughout this Province, and for maintaining the Poor and preventing Vagabonds; any Thing to the contrary hereof in any wiſe notwithſtanding.

4th *GEORGE* I. A. D. 1718.

CHAP. CCCLV.

An ACT *for reviving and continuing an Act of General Aſſembly, entitled,* An *Act* for licenſing Hawkers and Pedlars within this Province.
Paſs'd the 3d of July, 1718.

See Chap. 274. Expired the 3d *July*, 1722.

CHAP. CCCLVI.

An ACT *for naturalizing* Nicholas Caron, Abraham Decaſſerez, Tobias Boel, Henricus Boel, Jacob Pitt, Jan Pitt, *and* Samuel Richard.
Paſs'd the 3d of July, 1718.

Private.

CHAP. CCCLVII.

An ACT *for reviving an Act of General Aſſembly, entitled,* An *Act* for the Settling the Militia of this Province, and making it more uſeful for the Security and Defence thereof.
Paſs'd the 3d of July, 1718.

See Chap. 334. Continued Ch. 385.

CHAP. CCCLVIII.

An ACT *for eſtabliſhing Pilotage.*
Paſs'd the 3d of July, 1718.

Expired the 3d *July*, 1723.

CHAP. CCCLIX.

An ACT *for encouraging the Returning Neat Cattle and Sheep, to their Owners.*
Paſs'd the 3d of July, 1718.

Revived Ch. 472.

CHAP. CCCLX.

An ACT *repealing that Part of an Act, entitled, An* Act for reſtraining the taking of extravagant and exceſſive Uſury, whereby Intereſt was reduced to *Six per Cent. per Annum.*
Paſs'd the 3d of July, 1718.

See Chap. 328. Obſolete, and Provided for by Chap. 660.

CHAP. CCCLXI.

An ACT *to enable the Treaſurer of this Colony, to remit* Ambroſe Philips, *Eſq*; *the Sum of* One Hundred and Eighty-ſeven Ounces and an Half of Plate, *for the Service of this Colony.*
Paſs'd the 16th of October, 1718.

5th *GEORGE* I. A. D. 1718.

Private.

CHAP. CCCLXII.

An ACT *for reviving an Act of General Aſſembly, entitled,* An *Act* for the eaſier Partition of Lands in Jointenancy or in Common, and making the ſame more uſeful and effectual, for the Purpoſes therein mentioned.
Paſs'd the 16th of October, 1718.

See Chap. 310. Expired the 1ſt *November*, 1721.

CHAP.

5th *GEORGE* I.
A. D. 1718.

CHAP. CCCLXIII.

Private.

An ACT *for paying the Quantity of* Fifty-three Ounces and one Half of Plate, *unto* Johannes Van Zandt; *and the Quantity of* Twelve Ounces and one Half of Plate, *unto* Williampie Vytden Bogart, *Widow.*

Paſs'd the 16th of October, 1718.

CHAP. CCCLXIV.

Private.

An ACT *for ſettling the Boundaries between the Lands granted by Patent unto* Cornelius Coel, Adrian Gerritſe, Matthias Ten Eyck, Jacobus Dubois, Johannes Schepmoes, Roeloff Swartwout, Cornelius Lammerſe, Peter Pieterſe, Lawrence Oeuſterhout, *and* Jannetſe Newkirk, *ſituate lying and being in the County of* Ulſter, *commonly called the Town of* Hurley; *and the Lands granted by Patent unto Col.* Henry Beekman, *Capt.* Thomas Garton, *and Capt.* Charles Broadhead, *Truſtees for and on the Behalf of the Inhabitants of the Town of* Marbletown, *in the County of* Ulſter *aforeſaid.*

Paſs'd the 16th of October, 1718.

CHAP. CCCLXV.

See Chap. 292 and 324.
That Part of 297, *hereby explained, & the whole of* Chap. 324 *being expired, this is* Obſolete.

An ACT *for the Explaining of certain Clauſes in one Act of the General Aſſembly of this Colony, entitled,* An *Act* for a Supply to be granted to his Majeſty, for the Supporting his Government in the Province of *New-York*, and for ſtriking Bills of Credit for that Purpoſe, paſſed in the Year One Thouſand Seven Hundred and Fifteen; and for the Explaining certain Clauſes in an Act of the General Aſſembly of this Colony, made in the Year One Thouſand Seven Hundred and Sixteen, entitled, *An* Act *to oblige all Veſſels trading into this Colony (except ſuch as are therein excepted) to pay a certain Duty, and for the further Explanation, and making more effectual certain Clauſes in an Act by which a Duty is laid on all Negroes, and other Slaves, imported into this Colony.*

Paſs'd the 16th of October, 1718.

5th *GEORGE* I.
A. D. 1719.

The Twelfth ASSEMBLY.

THIRD SESSIONS.

CHAP. CCCLXVI.

See Chap. 393.
Repealed by Chap. 396.

An ACT *for a Supply to be granted to his Majeſty, for ſupporting his Government in the Province of* New-York, *from the firſt Day of* July, *which ſhall be in the Year of our Lord One Thouſand Seven Hundred and Twenty, until the firſt Day of* July, *One Thouſand Seven Hundred and Twenty-one.*

Paſs'd the 24th of June, 1719.

CHAP. CCCLXVII.

See Chap. 214.
Revived Ch. 493.

An ACT *for reviving an Act, entitled,* An *Act* for the regulating and returning able and ſufficient Jurors, in Trials at Law.

Paſs'd the 24th of June, 1719.

CHAP.

CHAP. CCCLXVIII.

5th *GEORGE* I. A. D. 1719.

An ACT *reviving an Act, entitled,* An *Act* for laying a Duty on Goods sold by Auction, Vendue or Outcry.

Pass'd the 24th of June, 1719.

See Chap. 326. Continued Ch. 399.

CHAP. CCCLXIX.

An ACT *laying a Duty on all empty Casks imported into this Colony.*

Pass'd the 24th of June, 1719.

Expired 24th *June*, 1721; but *provided for* Chap. 614.

CHAP CCCLXX.

An ACT *for reviving an Act for regulating Slaves.*

Pass'd the 24th of June, 1719.

See Chap. 155. Revived Ch. 483.

CHAP. CCCLXXI.

An ACT *reviving an Act, entitled,* An *Act* appointing an Agent for this Colony at the Court of *Great-Britain*, and for raising of Money annually, to defray the Charge thereof, in the Room of *John Champantie*, deceased.

Pass'd the 24th of June, 1719.

See Chap. 323. Expired the 5th *December*, 1719.

CHAP. CCCLXXII.

An ACT *for repealing an Exception or Proviso mentioned and expressed in an Act of General Assembly, entitled,* An *Act* for the better laying-out, regulating, clearing, and preserving publick common Highways in this Colony, and for the erecting and building a County Goal, and County-House, in the County of *Richmond*.

Pass'd the 24th of June, 1719.

See Chap. 270 Expired. This Obsolete.

CHAP. CCCLXXIII.

An ACT *to authorise the Justices of the Peace to build and repair Goals and Court-Houses, in the several Counties of this Province.*

Pass'd the 24th of June, 1719.

What in this Act relates to Westchester, Expired 24th June, 1724. *As to the rest of the Counties*, 24th June, 1722; *but, as to* Queens *County*, Revived Ch. 442.

CHAP. CCCLXXIV.

An ACT *for destroying Wolves in* Dutchess *County.*

Pass'd the 24th of June, 1719.

Expired the 24th *June*, 1724.

CHAP. CCCLXXV.

An ACT *for annulling and making void, a fradulent Conveyance of* Mary Davenport, *made by her when she was sole by the Name of* Mary Miserol, *to one* James Brown, *of certain Lands, Goods, and Chattels, late belonging to* John Miserol, *her former Husband, deceased.*

Pass'd the 24th of June, 1719.

Private.

CHAP. CCCLXXVI.

An ACT *to prevent Rams running at large in the Township of* Hampstead, *in* Queens *County.*

Pass'd the 24th of June, 1719.

Expir'd the 24th of *June*, 1721.

5th *GEORGE* I. A. D. 1719.

CHAP. CCCLXXVII.

Expired the 1st of *June*, 1722.

An ACT *for building a Bridge over the Creek or Kill, called,* Kinderhook's *Creek, or Kill, in the County of* Albany, *and for altering the Highways in that Part of the ſaid County.* Paſs'd the 24th of June, 1719.

CHAP. CCCLXXVIII.

Expir'd the 24th of *June*, 1721.

An ACT *for raiſing of* Sixty Ounces of Plate, *for the Townſhip of* Schenectady, *in the County of* Albany.
Paſs'd the 24th of June, 1719.

CHAP. CCCLXXIX.

An ACT *to enable the Precincts of* Haverſtraw, *in the County of* Orange, *to chuſe a Superviſor, a Collector, two Aſſeſſors, one Conſtable, and two Overſeers of Highways.* Paſs'd the 24th of June, 1719.

Preamble.

WHEREAS ſeveral principal Freeholders and Inhabitants of *Haverſtraw*, in the County of *Orange*, in Behalf of themſelves and others, have, by their Petition to the General Aſſembly, prayed they may be enabled to elect one Superviſor, one Collector, two Aſſeſſors, one Conſtable, and two Overſeers of the Highways, by Reaſon of their great Diſtance from *Tappan*, in the ſaid County;

Inhabitants of *Haverſtraw* to meet annually and chuſe one Superviſor, one Collector, two Aſſeſſors, one Conſtable, and two Overſeers of the Highways; To be of the principal Inhabitants and Freeholders, and inveſted with the Powers and obliged to the ſame Services as other Aſſeſſors, &c. and act in Conjunction with them when neceſſary.

I. **Be it therefore Enacted** *by his Excellency the Governor, Council, and General Aſſembly, and by the Authority of the ſame*, That from and after the Publication of this Act, that it ſhall and may be lawful for the Inhabitants of the Diſtricts and Precincts of *Haverſtraw*, in the County of *Orange*, from the Northermoſt Bounds of *Tappan*, to the Northermoſt Bounds of *Haverſtraw*; and they are hereby required and impowered, to aſſemble and meet together, at the moſt convenient Place in the ſaid Diſtricts and Precinct, on the firſt Tueſday in *April*, annually, and there, by Plurality of Voices, to elect and chuſe among them, one Superviſor, one Collector, two Aſſeſſors, one Conſtable, and two Overſeers of the Highways; and the ſaid Officers ſo choſen, ſhall be of the principal Inhabitants and Freeholders within the Diſtricts aboveſaid, and alſo be inveſted with all the Powers, and be obliged to ſuch Services and Duties as all other ſuch like Officers in the County of *Orange* aforeſaid, are impowered and obliged to do; and the Aſſeſſors and Superviſors ſo choſen, ſhall act in Conjunction with the Reſt of the like Officers in the ſaid County, when, and as often as Occaſion ſhall require, any Thing to the contrary hereof, in any wiſe notwithſtanding.

CHAP. CCCLXXX.

Repealed, Ch. 652.

An ACT *to elect Superviſors in* Dutcheſs *County.*
Paſs'd the 24th of June, 1719.

CHAP. CCCLXXXI.

Private

An ACT *for naturalizing* Tedeus Beekman, Jan Van Taerlingh, *and* Pieter Vander Lyn.
Paſs'd the 24th of June, 1719.

CHAP. CCCLXXXII.

Private

An ACT *for ſettling the Eſtate of* Thomas Lewis, *late of the City of* New-York, *deceaſed.*
Paſs'd the 24th of June, 1719.

CHAP.

CHAP. CCCLXXXIII.

5th GEORGE I. A. D. 1719.

Expir'd the 24th of *June*, 1720.

An ACT *to enable the Justices inhabiting in the Parish of* Rye, *and the Vestrymen of the said Parish, or the major Part of them, to raise a certain Sum of Money for the keeping in Repair the Parish Church of the said Parish.*

Pass'd the 24th of June, 1719.

CHAP. CCCLXXXIV.

Left probationary. Confirm'd by the King in Council, 23d of *Jan.* 1723.

An ACT *for running and ascertaining the Lines of Partition and Division between this Colony, and the Colony of* Connecticut.

Pass'd the 25th of June, 1719.

Preamble, Reciting that the Governments of *New-York* and *Connecticut* had agreed touching the running the Lines of Partition.

WHEREAS at a Council held at *Fort-James*, (now *Fort-George*) in this Colony of *New-York*, on the Twenty-third Day of *November*, One Thousand Six Hundred Eighty-three; at which Council, Col. THOMAS DONGAN, then Governor of this Province, and the Council of the same, on the one Part; *Robert Treat*, Esq; then Governor of the Colony of *Connecticut*, Major *Nathan Gold*, Capt. *John Allen*, Secretary, and Mr. *William Pitkin*, Commissioners, jointly impowered by the Government of *Connecticut*, on the other Part; did conclude and agree, touching and concerning the running and ascertaining the Lines of Partition and Division, between this Province, and the Colony of *Connecticut*; pursuant to which Agreement, Commissioners and Surveyors were appointed and commissionated, *to wit*, *John Youngs*, *John Pell*, *Philip Wells*, and *Robert Vorklain*, on the Part and Behalf of the Province of *New-York*; and *Nathaniel Gold*, *Jonathan Selleck*, *Daniel Sherman*, and *John Hariman*, on the Part and Behalf of the Colony of *Connecticut*: Which Commissioners and Surveyors, appointed and commissionated on the Part and Behalf of each of the Governments before mentioned, did repair to a certain Place lying on the East Side of the Mouth of *Byram* River, and known by the Name of *Lyons-Point*, and by Virtue of the Powers and Authorities in them lodged, did agree, determine, and ascertain, the said Lines of Partition and Division, between the Province of *New-York*, and Colony of *Connecticut* aforesaid; and did begin at *Lyon's-Point*, on the Mouth of the said *Byram* River, and did actually survey, run, distinguish, determine and mark out, such Part of the said Lines of Partition and Division, as did ascertain the most southerly Part of this Province, bordering on the Colony of *Connecticut*, and Part of the most easterly Part of this Province, bounding on the said Colony; and did also ascertain, determine, and fix a Point or Place at eight Miles Distance, on a North-North-West Course from the Sound; from whence a Line should run parallel to the Sound, so far easterly, until it brings *Hudson*'s River from thence the Distance of Twenty Miles, together with an Addition allowed, as an Equivalent, in Lieu of a Concession then made on the Part of this Province; and from thence, a Line parallel to *Hudson*'s River, until it came so far northerly, as the Line of Partition or Division, between the Colony of *Connecticut*, and the Colony of the *Massachusetts*: Which Line aforesaid, to be run parallel to *Hudson*'s River, unto the Line of the *Massachusetts* Colony, was to be the Line of Partition and Division between this Province, and the Colony of *Connecticut*. All which said Matters and Things agreed on, done, determined and fix'd, as aforesaid, was, by the said Commissioners and Surveyors, (appointed and commissioned as aforesaid) reported and submitted to the Governments of *New-York* and *Connecticut*, for their Allowance or Disapprobation of the same: And the Governors of both the Colonies, *to wit*, Col. THOMAS DONGAN, Governor of the Province of *New-York*, and *Robert Treat*, Esq; Governor of the Colony of *Connecticut*, did meet at the Town of *Millford*, in the said Colony of *Connecticut*, and there, on the Twenty fourth Day of *February*, in the Year One Thousand Six Hundred Eighty-four, both

Commissioners Names.

Lines of Partition ascertained,

And approv'd of by both Governments, in 1684.

5th *GEORGE* I. A. D. 1719.

both the ſaid Governors did, in the Preſence of *John Palmer*, *John Sprag*, and *John Youngs*, of the Province of *New-York*; and *Nathan Gold*, *William Jones*, *John Allen*, *John Naſh*, and *William Pitkin*, of the Colony of *Connecticut*; approve of, ratifie, confirm and agree, to what had been done by the Commiſſioners and Surveyors aforeſaid, and ordered the ſame to be entred as of Record in the publick Regiſters of the Province of *New-York*, and Colony of *Connecticut*; which was accordingly done, and appears of Record in the Secretary's-Office of this Province. All which ſaid Matters and Things, done and agreed on by the Commiſſioners aforeſaid, and ratified and agreed to by the Governors aforeſaid, as well as the Articles of Agreement betwixt the ſaid Governors, was, by his Majeſty King WILLIAM the Third, of glorious and immortal Memory, with the Advice of his moſt honourable Privy Council, on the Twenty Eighth Day of *March*, One Thouſand Seven Hundred, approved of and confirmed, as by the ſaid Order of Council, and his ſaid Majeſty's Letter of the Twenty-ninth Day of *March*, to his Governor of *New-York*, entred in the Secretary's-Office of this Province, may more fully and at large appear.

Confirmed by King *William* in 1700.

AND whereas that Part of the Lines of Partition and Diviſion, betwixt this Province, and the Colony of *Connecticut*, which were to run parallel to *Hudſon's* River, as aforeſaid, were never actually ſurveyed and mark'd out, nor the Places aſcertained and diſtinguiſhed, through which the ſaid Lines ſhould paſs; and the Marks of ſuch Part of the Lines of Partition or Diviſion, as were by the Surveyors aforeſaid, then run, mark'd out, and diſtinguiſhed, are by Length of Time, worn out, or by the Contrivances and wicked Practices of evil diſpoſed Perſons, defaced, or altogether taken away; ſo that without running them a-new, the Places through which ſuch Lines did or ſhould run, are not, nor cannot be diſcovered and aſcertained; by Reaſon of which Uncertainty, ſeveral Perſons living near to the Places where it is ſuppoſed the ſaid Lines have and will run, elude the Laws in Force in both Governments, by paying Obedience to neither; pretending ſometimes to be within the Province of *New-York*, at other Times, to be within the Colony of *Connecticut*, as it beſt ſerves their Purpoſes, to evade paying their publick Taxes, and doing and performing ſuch Services as are done and performed by other his Majeſty's Subjects, in both the ſaid Colonies of *New-York* and *Connecticut*: And ſeveral Perſons, Owners of conſiderable Tracts of Land, and willing to ſettle and improve the ſame, are deterred from ſo doing, leſt their Settlements and Improvements ſhould, on the Diſcovery of the true Places where the Lines aforeſaid ſhould run, prove to be in another Colony than that under which they had a Right to ſettle; which has proved a great Hindrance to the further ſettling and improving that Part of this Province lying near to and adjacent to the Colony of *Connecticut*, and encouraged ſeveral Perſons belonging to the Colony of *Connecticut*, to incroach upon this Province. In order therefore, to prevent the Confuſions and Diſturbances that will otherwiſe unavoidably follow; to encourage the further Settlement and Improvement of this Province; and that ſuch Perſons as are already ſettled near or adjacent to the Lines of Partition and Diviſion, betwixt this Province, and the Colony of *Connecticut*, may peaceably and quietly enjoy the Fruits of their Labour and Induſtry, according to their ſeveral Rights;

Part of the Lines of Diviſion were never actually run, and Part defaced.

I. **Be it Enacted** *by the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That his Excellency the Governor of this Province, or the Governor and Commander in Chief of this Province, for the Time being, do, by Commiſſion under the Great Seal of this Province, authorize and impower, two or more ſuch Perſons, as to the ſaid Governor or Commander in Chief, with the Advice of his Majeſty's Council, ſhall ſeem moſt convenient and fit, in Conjunction with the Surveyor General of this Province, or his Deputy, approved of by the Governor, or Commander in Chief for the Time being, with the Advice and Conſent of the Council, to run, mark out,

The Lines of Partition to be new run, and aſcertained in the

5th *GEORGE* I. A. D. 1719.

out, distinguish and ascertain, the Lines of Partition and Division, between this Province, and the Colony of *Connecticut*, according to the Agreements beforementioned, which were approved and allowed of, by the late King WILLIAM, and in no other Manner than it was agreed and approved of, as aforesaid; and the said Lines, when run, and the Places distinguished, through which they shall pass, are hereby DECLARED AND ENACTED, to be the Lines of Partition and Division, betwixt this Colony, and the Colony of *Connecticut*; and all Persons whatsoever, Bodies Corporate, and Politick, are hereby required to take Notice thereof, and govern themselves accordingly, any Law or Usage to the contrary hereof notwithstanding.

Manner formerly agreed, and approved of. And to be the Lines of Division between this Colony and *Connecticut*.

II. AND whereas it is the Design, Intention and earnest Desire of the Legislature of this Province, that the Lines of Partition and Division, between the Colonies of *New-York* and *Connecticut* aforesaid, be not only run truly and fairly, but amicably, and in Conjunction with Commissioners and Surveyors to be legally and sufficiently impowered by the Government of *Connecticut*, if that Government shall so think fit; **Be it therefore Enacted** *by the Governor, Council and General Assembly of this Province of* New-York, *and it is hereby Enacted by the Authority of the same*, That before the Commissioners and Surveyor General, (or Deputy approved of, as aforesaid) appointed and commissioned under the Great Seal of this Province, enter upon, and begin to run and ascertain the Lines of Partition and Division aforesaid, timely Notice, (not less than nine Months before such beginning to run) shall be sent to the Governor of *Connecticut*, from the Governor, or Commander in Chief of this Province, by some credible Person, (who shall make Oath of the Delivery of the same) of the Time when the said Lines of Partition and Division, are appointed to be run and ascertained, in order that Commissioners and Surveyors may be appointed by the Government of *Connecticut*, if they think fit to act in Conjunction with the Commissioners and Surveyor General, commissioned by the Governor of this Province, as aforesaid, to run and ascertain the said Lines, according to the Agreements made and ratified, by DONGAN and TREAT, Governors of *New-York* and *Connecticut*, before mentioned, and approved of and confirmed, by his late Majesty King WILLIAM, as aforesaid: And in Case the Government of *Connecticut* shall not think fit to appoint, and legally and sufficiently impower and authorise, any Persons to act in Conjunction with the Commissioners appointed by this Province as aforesaid; it shall then be lawful for the Persons commissionated on the Part and Behalf of this Province, to run and ascertain the said Lines of Partition and Division, between this Province, and the Colony of *Connecticut*, and to put in Execution the several Directions in their said Commission contained, according to the true Intent and Meaning of this Act.

Notice to be given to the Governor of *Connecticut*, of the Time of running said Lines.

III. **Provided always**, That this Act, nor any Part thereof, shall be in Force until his Majesty, his Heirs or Successors, shall be graciously pleased to give the Royal Assent thereto.

This Act not to be in Force till it has the Royal Assent.

The Twenty-first July, 1719, *Col.* PETER SCHUYLER, *President, took the Oaths; and the Assembly called in Governor* HUNTER's *Time, was continued by several Adjournments, pursuant to the King's Orders to the President.*

WILLIAM BURNET, Esq; Governor.

7th *GEORGE* I. A. D. 1720.

CHAP. CCCLXXXV.

An ACT *for continuing an Act of General Assembly, entitled,* An *Act* for the better Settling the Militia of this Province, and making it more useful for the Security and Defence thereof. Pass'd the 19th of November, 1720.

See Ch. 357. Repealed Ch. 419.

7th *GEORGE* I. A. D. 1720.

CHAP. CCCLXXXVI.

See Ch. 270. Expired the 1st of *June*, 1721: So far as relates to the County of *Suffolk*, Revived Ch. 404.

An ACT *for continuing an Act of General Assembly, entitled,* An *Act* for the further laying-out, regulating, and better clearing publick Highways throughout this Colony. Pass'd the 19th of November, 1720.

CHAP. CCCLXXXVII.

Obsolete.

An ACT *appointing the several Persons therein named and appointed, to let to farm the Excise of strong Liquors in the several Cities and Counties within this Province.* Pass'd the 19th of November, 1720.

CHAP. CCCLXXXVIII.

An ACT *directing and appointing the Value that Lyon-Dollars shall pass current for within this Province.* Pass'd the 19th of November, 1720.

Every Lyon Dollar, weighing 17 Penny-weight, to pass for 15 Penny-weight of *Sevil*, *Pillar*, or *Mexico* Plate.

I. BE it Enacted *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That every Lyon-Dollar, of the Weight of Seventeen Penny Weight, and not counterfeit, shall, from and after the Publication hereof, be taken, received and paid, and pass current at the Rate, and be of equal Value to *Fifteen Penny Weight* of *Sevil*, *Pillar*, or *Mexico* Plate; and the Treasurer of this Colony, and all other Persons, are hereby directed and required to take and receive the same, at the said Value of *Fifteen Penny Weight* of Plate, aforesaid; any Law, Custom, or Usage to the contrary hereof in any wise notwithstanding.

CHAP. CCCLXXXIX.

Obsolete.

An ACT *to impower the Justices of the Peace in the County of* Westchester, *to assign a Place to build a Court-House and Goal for that County.* Pass'd the 19th of November, 1720.

CHAP. CCCXC.

See Chap. 269. Revived Ch. 510.

An ACT *for reviving an Act of General Assembly, entitled,* An *Act* for mending and keeping in repair, the Post Road from *New-York* to *King's-Bridge.* Pass'd the 19th of November, 1720.

CHAP CCCXCI.

Repealed by Chap. 507.

An ACT *prohibiting all Persons but* Robert Lettis Hooper, *and his Assigns, to refine Sugar, during the Term therein mentioned.* Pass'd the 19th of November, 1720.

CHAP. CCCXCII.

Repealed by the King, 11th of *December*, 1729.

An ACT *for the Encouragement of the Indian Trade, and rendering of it more beneficial to the Inhabitants of this Province, and for prohibiting the selling of Indian Goods to the* French. Pass'd the 19th of November, 1720.

CHAP. CCCXCIII.

See Chap. 292. Expired 1st *July*, 1722. Continued Ch. 405.

An ACT *for the Continuing the Currency of Bills of Credit, to the Value of* Six Thousand Ounces of Plate, *for and during the Time therein mentioned.* Pass'd the 19th of November, 1720.

CHAP.

7th GEORGE I. A. D. 1720.

CHAP. CCCXCIV.

Private.

An ACT *to enable* Gerrit Van Horne, *and* Cornelius Van Horne, *to sell and dispose of a certain House and Ground in the City of* New-York.

Pass'd the 19th of November, 1720.

CHAP. CCCXCV.

Private,

An ACT *to enable* Isabella Davis, *to sell and dispose of four Lots or Parcels of Ground in the City of* New-York.

Pass'd the 19th of November, 1720.

CHAP. CCCXCVI.

An ACT *for a Supply to be granted to his Majesty, for supporting his Government in the Province of* New-York, *during the Time therein mentioned, and for repealing an Act of the General Assembly of this Province, for a Supply to be granted to his Majesty, for supporting his Government in the Province of* New-York, *from the first Day of* July, *which shall be in the Year of our Lord One Thousand Seven Hundred and Twenty, until the first Day of* July, *One Thousand Seven Hundred and Twenty-one.*

The Currency of the Bills in this Act, Continued *by* Chap. 464.

See Chap. 366. Made more effectual by Ch. 420.

Pass'd the 19th of November, 1720.

The former Part of this Act, relating to the Duties laid by it, Expired *the first of* July, 1726. *The Sections that were thought necessary to be printed, are as follow.*

XI. AND whereas the Necessities of this Government are such as require a present Supply, and cannot wait the Coming-in of the Duties imposed by this Act: In order, therefore, to provide for the same in the most effectual Manner, **Be it Enacted** *by the Governor, Council, and General Assembly of this Province, and it is hereby Enacted by the Authority of the same,* That Bills of Credit, to the Value of *Five Thousand Ounces* of Plate, be forthwith made and printed, upon the Credit of the Duties and Funds arising, or to arise, by Virtue of this Act; *That is to say,* Six Thousand and One of such Bills, of the Value of *Two Penny-weight and twelve Grains* of Plate of the *Spanish* Coins of *Sevil, Pillar* or *Mexico*: Four Thousand such Bills, of the Value of *Three Penny-weight and eighteen Grains* of like Plate: Four Thousand such Bills, of the Value of *Six Penny-weight and six Grains* of like Plate: Four Thousand such Bills, of the Value of *Seven Penny-weight and twelve Grains* of like Plate: One Thousand seven Hundred and Fourteen such Bills, of the Value of *Eight Penny-weight and eighteen Grains* of like Plate. Upon every of which Bills shall be impress'd, on the right Side of the said Bills, about the Middle of the Side, the Arms of the City of *New-York*. And the said Bills shall be in the Form following, *viz.*

Bills of Credit to be printed.

The Value of each Bill.

THIS indented Bill of ---------- Penny-weight---------Grains of Plate, due from the Colony of New-York, *to the Possessor thereof, shall be in Value equal to Plate, and shall be accordingly accepted by the Treasurer of this Colony, for the Time being, in all publick Payments, and for any Fund, at any Time, in the Treasury. Dated in* New-York, *the Tenth Day of* November, *One Thousand Seven Hundred and Twenty; by Order of the Governor, Council, and General Assembly.*

The Form of the Bill.

WHICH Bills shall be signed and numbered by *David Provoost*, Esq; *John Jansen*, Esq; *Jacobus Kip*, Esq; *Gerardus Beekman*, jun. Esq; or any Three of them. And in Case of the Death of any of the said Persons, the said Bills shall be signed and numbered by the major Part of the Persons above-mentioned, then alive. And the Bills of Credit aforesaid, to be made and issued by Virtue

The Signers Names.

7th *GEORGE* I. A. D. 1720.

The Bills ſhall paſs current 'till 1726.

Virtue of this Act, ſhall be and continue current until the firſt Day of *July*, which will be in the Year of our Lord One Thouſand ſeven Hundred and Twenty-ſix, and no longer; at which Time all the ſaid Bills ſhall be ſunk and deſtroyed by the Treaſurer of this Colony.

The Treaſurer to pay the Value of the Bills made current by this Act, brought to him on the firſt of *July*, or before 1ſt of *January*, 1726; which Bills ſhall be ſunk and deſtroyed.

XII. AND WHEREAS it may ſo happen, that many of the ſaid Bills may, after the ſaid firſt Day of *July*, which will be in the Year of our Lord One Thouſand ſeven Hundred and Twenty-ſix, be and remain in the Hands of private Perſons remote, ſo that they cannot conveniently be brought to the Treaſurer of this Colony, in order to be ſunk and deſtroyed on the ſaid firſt Day of *July*; **Be it therefore Enacted** *by the Authority aforeſaid*, That any Perſon or Perſons who ſhall, on the ſaid firſt Day of *July*, or on or before the firſt Day of *January*, which ſhall be in the aforeſaid Year of our Lord One Thouſand ſeven Hundred and Twenty-ſix, bring and deliver to the Treaſurer of this Colony, for the Time being, any Bill or Bills made current by this Act, every Perſon ſo bringing and delivering any ſuch Bill or Bills, ſhall, by the ſaid Treaſurer, be paid the Value of them out of the Funds or publick Money then in his Hands, ariſing by Virtue of this Act, if any ſuch there be; and if not, then out of any other publick Money, or Bills, in his Hands, at the Time of the bringing and delivering ſuch Bill or Bills: Which ſaid Bill or Bills ſo brought in and delivered to the Treaſurer, ſhall by him be ſunk and deſtroyed at the Times of delivering the ſame, on or before the firſt Day of *January* aforeſaid; after which Day the ſaid Treaſurer is not to exchange any of the Bills, made current by this Act, nor to take them in Payment longer than till the firſt Day of *July*, which will be in the Year One Thouſand ſeven Hundred and Twenty-ſix, aforeſaid.

The Treaſurer to render an Account on Oath, of the Number and Value of the Bills ſunk and deſtroy'd

XIII. AND that it may be truly known what Number and Value of Bills are ſunk and deſtroyed on the ſaid firſt Day of *July*, which will be in the Year of our Lord One Thouſand ſeven Hundred and Twenty-ſix, or at any Time before the ſecond Day of *January*, then next following, **It is hereby further Enacted**, That the Treaſurer of this Colony, at that, or any of thoſe Times being, ſhall keep a true and perfect Account of all ſuch Bills by him received and deſtroyed; which Account he ſhall render upon Oath, if thereto required by the Governor, Council, and General Aſſembly, or either of them.

The Signers to take an Oath.

XIV. **And be it Enacted** *by the Authority aforeſaid*, That the Perſons appointed for the Signing of the ſaid Bills of Credit, ſhall take an Oath, before any one of the Aldermen of the City of *New-York*, for the true ſigning and delivering of all the ſaid Bills of Credit; *That is to ſay*, That they, the Signers, or the greater Number of them, then alive, will truly ſign all the ſaid Bills of Credit, made current by this Act, and no more, except impowered by an Act of Aſſembly of this Province, or ſome equal or ſuperior Authority ſo to do; and that they, the Perſons ſigning the ſame, will deliver unto the Treaſurer of this Colony, for the Time being, all the Bills of Credit ſo ſigned by them, and no more than the Number mentioned in this Act, according to the true Intent and Meaning of the ſame.

The Bills made current by this Act, ſhall be received in all Caſes.

XVII. **And be it further Enacted** *by the Authority aforeſaid*, That the Bills of Credit appointed and enacted, by this Act, to be current till the firſt Day of *July*, which will be in the Year of our Lord One Thouſand ſeven Hundred and Twenty-ſix, ſhall be received in all Caſes whatſoever, by any Perſon within this Province, and be as effectually current as any other Bills of Credit made current in this Colony, by any Act of the General Aſſembly of this Province; and the Perſon refuſing to take them in Payment for any Sum due

due, or hereafter to become due, or for any Contract already made, or hereafter to be made, or for any Consideration whatsoever, for any Effects or Services already delivered or performed, or hereafter to be delivered or performed, shall be liable, and is hereby made liable and subjected to all the Penalties and Forfeitures contained in any or all the Acts of the General Assembly of this Colony, at any Time enacting and enforcing the Currency of Bills of Credit, as fully, to all Intents, Constructions, and Purposes whatsoever, as if the Words of all or any the Acts beforesaid, relating to the Bills of Credit, or enacting and enforcing the Currency of such Bills of Credit in them mentioned, had been particularly expressed or transcribed, and hereby enacted; any Thing in this Act or any other to the contrary hereof, in any wise notwithstanding.

The Penalty for refusing to take them in Payment:

XVIII. **And be it Enacted** *by the Authority aforesaid*, That if any Person or Persons whatsoever, shall presume to counterfeit any of the Bills of Credit made current by this, or any other Act of the General Assembly of this Province, or shall alter any of the said Bills made current, as aforesaid, so that they shall appear to be of greater Value than by any of the said Acts the same Bills, so altered, were enacted, signed, and numbered to pass current for, or shall knowingly pass any of the Bills aforesaid, so counterfeited or altered; every Person guilty of counterfeiting or altering the said Bills, as aforesaid, shall be guilty of Felony; and convicted of such Counterfeiting or Altering, shall suffer Death accordingly, and not have the Benefit of Clergy. And any Person knowingly passing any such counterfeit or alter'd Bill, and convicted thereof, shall also suffer the Pains of Death without Benefit of Clergy.

Penalty for counterfeiting the Bills.

XXXIX. **And be it further Enacted** *by the Authority aforesaid*, That the Treasurer of this Colony, for the Time being, shall retain in his Hands the Sum of *Five Pounds* for every *Hundred Pounds* received and paid by him, as a Reward for his Service in receiving and paying the Monies to be received and paid by him, by Virtue of this Act; and shall be accountable to the Governor, Council, and General Assembly of this Province, or either of them requiring the same. **Provided, and it is hereby Enacted**, That for Bills of Credit hereby made current, he shall only take *Two and a Half per Cent.* for receiving and paying the same.

The Treasurer's Reward: Shall be accountable to the Governor, Council, and General Assembly.

Proviso.

CHAP. CCCXCVII.

An ACT *to lay a Duty of* Two Pounds, *on every Hundred Pounds Value, prime Cost, of all European Goods imported into this Colony.*

Pass'd the 19th of November, 1720.

Repealed by the King, 30th *April*, 1724.

CHAP. CCCXCVIII.

An ACT *for continuing an Act, for the Encouragement of Whaling.*

Pass'd the 19th of November, 1720.

See Chap. 314. Continued Ch: 474.

CHAP. CCCXCIX.

An ACT *for the further continuing an Act, for laying a Duty on Goods sold by Auction, Vendue, or Outcry, and rendring the same more effectual.*

Pass'd the 19th of November, 1720.

See Chap. 368. Expired first of *July*, 1726.

CHAP. CCCC.

An ACT *for settling the Estate of* Albertus Conradus Bosch, *late of the City of* New-York, *Sword-Cutler, deceased.*

Pass'd the 27th of July, 1721.

Private.

7th *GEORGE* I. A. D. 1721.

CHAP. CCCCI.

Obſolete.

An ACT *for enabling ſuch Perſon as his Excellency the Governor ſhall appoint, to receive and collect the Duties due and payable in the County of* Suffolk, *by Virtue of an Act of the General Aſſembly of this Province, paſſed in the Seventh Year of his Majeſty's Reign, entitled,* An *Act* for a Supply to be granted by his Majeſty, for ſupporting his Government in this Province of *New-York*, during the Time therein mentioned. Paſs'd the 27th of July, 1721.

CHAP CCCCII.

Obſolete.

An ACT *for collecting and paying the Arrears of Taxes for the two Expeditions to* Canada.

Paſs'd the 27th of July, 1721.

CHAP. CCCCIII.

Obſolete.

An ACT *to oblige the Treaſurer to pay for the Stockadoes provided for the Fortifications in* Albany *and* Schenectady.

Paſs'd the 27th of July, 1721.

CHAP. CCCCIV.

See Chap. 386. Continued Ch. 422.

An ACT *continuing a Clauſe in an Act of General Aſſembly, entitled,* An *Act* for the further laying-out, regulating, and better clearing publick Highways throughout this Colony, *ſo far as it relates to the County of* Suffolk, *in this Province.* Paſs'd the 27th of July, 1721.

CHAP. CCCCV.

See Chap. 393. Expired firſt of *July*, 1723. Continued Ch. 421.

An ACT *for the further continuing the Currency of Bills of Credit to the Value of* Six Thouſand Ounces of Plate, *for and during the Time therein mentioned.*

Paſs'd the 27th of July, 1721.

CHAP. CCCCVI.

Obſolete.

An ACT *for the better repairing the Fortifications of the City of* Albany.

Paſs'd the 27th of July, 1721.

CHAP. CCCCVII.

Obſolete.

An ACT *to impower the Juſtices of the Peace in* Queen's *County, to ſell the Court-Houſe and Goal, in the ſaid County, and build another.*

Paſs'd the 27th of July, 1721.

CHAP. CCCCVIII.

Confirmed by the King, 30th of *April*, 1724. Private.

An ACT *for remitting and exempting* Gilbert Livingſton, *from paying the Sum of* Three Hundred Pounds, *due from him, for the Exciſe on ſtrong Liquors farmed by him.* Paſs'd the 27th of July, 1721.

CHAP. CCCCIX.

Obſolete.

An ACT *for raiſing the Sum of* Five Hundred Pounds, *for ſecuring the Indians in his Majeſty's Intereſt.*

Paſs'd the 27th of July, 1721.

CHAP.

7th *GEORGE* I.
A. D. 1721.

CHAP. CCCCX.

An ACT *to prevent vagrant and idle Persons, from being a Charge and Expence to any the Counties, Cities, Towns, Manors or Precincts within this Province.* Pass'd the 27th of July, 1721.

See Chap. 6.

Preamble.

WHEREAS several idle and necessitous Persons come, or are brought into this Province from the neighbouring Colonies and Plantations, or some of his Majesty's Plantations, who have either fled from thence for Fear of Punishment for their Crimes, or being slothful and unwilling to work, have contracted Debts, and to avoid the Payment of them, transported themselves into this Province, very often to the great Damage of the Persons so transporting them, as well as Charge and Trouble to the Places into which they come, or are brought, by Reason of their lurking privately in Cities, or in Places in the Counties remote from the Habitations of Justices of the Peace: In order, therefore, to prevent the same as much as may be, for the Future,

Householders to give an Account of Strangers lodging in their Houses.

I. **Be it Enacted** *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same*, That every Householder who shall entertain in his House or Family, for and during the Term of three Days, any Stranger, not an Inhabitant of the City or County in which such Householder, so entertaining, shall dwell, and not known to said Householder to be a Person of good and sufficient Substance; such Householder shall make known to the Mayor, or next Justice of the Peace, the Name, Quality, Condition, and Circumstances of the Person so entertained, according to the best Knowledge of the said Householder, on the Penalty of maintaining the said Stranger, or becoming bound that such Stranger shall not become a Charge or Burthen to the City, Town, Manor, or Precinct in which such Householder, so entertaining, shall inhabit. And the said Mayor, or Justice of the Peace, so, or otherwise informed, or seeing, if they suspect the said Stranger to be of insufficient Abilities, or likely to become a Charge and Burthen to the City, Town, Manor, or Precinct in which such Stranger then is, may send for and examine such Stranger; and upon Examination, if the said Mayor, or Justice, assisted by one other Justice, find such Stranger not of sufficient Substance, and likely to become a Charge to the City, Town, Manor, or Precinct in which such Stranger then shall be, the said Mayor or Justices, by Warrant directed to the Constable, may send the said Stranger to the Place from whence he or she last came; and the Constable transporting such Stranger, shall deliver such Stranger, or vagrant Persons, together with his Warrant, to some Constable of the City, Town, Manor, or Precinct of the Place from whence he or she last came, and so to be carried from Constable to Constable, until the said Stranger shall be carried to some Place in which he or she has remained during the Time of forty Days, or until such Person is transported to the Place of his or her Nativity, if within this Province, or into the neighbouring Colonies of *Jersey*, *Connecticut*, or *Massachusets-Bay*, if from thence he or she came: And if such Stranger has remained and dwelt in any City, Town, Manor, or Precinct, longer than the Term of forty Days; then, and in such Case, the Mayor of the said City, or any two Justices of the Peace of the County, dwelling in or near any such, Town, Manor, or Precinct, shall cause to be brought before them, such and so many of the Inhabitants, Householders, who have entertained such Stranger or vagrant Person, during the Term of three Days, without informing, or making the same known to the said Mayor, or next Justice, as aforesaid, who shall enter into Recognizance, with sufficient Sureties, that the said Stranger, or vagrant Person, shall not become a Charge and Burthen to the said City, Town, Manor, Parishes, and Precinct. And in Case any the said Persons, so having entertained, as aforesaid, shall refuse to become bound, as

Justices of the Peace to examine into the Ability of Strangers; and if not of sufficient Substance, to send them to the Place from whence they last came.

Householders not giving an Account of such Strangers, to enter into Recognizance that they shall not become a Charge.

7th *GEORGE* I. A. D. 1721.

Penalty in Caſe of Refuſal,

as aforeſaid, ſuch Perſon or Perſons, ſo refuſing, (if of good Ability) ſhall, by the ſaid Mayor, or Juſtices, be committed to the next Goal, there to remain until they ſhall agree to become bound, as aforeſaid: And ſuch Recognizance ſhall not be avoided by any Plea of Dureſs; any Thing to the contrary hereof, in any wiſe notwithſtanding. Or in Caſe the ſaid Perſon or Perſons entertaining, ſhall not be of ſufficient Ability to become bound, as aforeſaid, or the Mayor, or Juſtices aforeſaid, ſhall not think fit to take ſuch Recognizance, that then the ſaid Mayor, or Juſtices, ſhall ſend the ſaid Vagrant from Conſtable to Conſtable, till tranſported to the Place where he or ſhe were born, or out of the Province, as aforeſaid; the Charge of ſuch Tranſportation to be brought into the County Charge, and raiſed, levied and collected, in the ſame Manner, and with the other County Charges, and after the ſame Manner paid.

The Perſon ſo entertaining, not being ſufficient to be bound, the Vagrant to be tranſported.

The Charge of the Tranſportation, a County Charge.

II. **And be it further Enacted**, That if any Perſon ſo tranſported, return into this Province, or from the Place of his or her Birth, ſo as likely to become a Burthen and Charge, as aforeſaid; ſuch Perſon, ſo returning, ſhall, by Warrant from the Mayor, or Juſtices, as aforeſaid, be apprehended, and re-tranſported, as aforeſaid; and ſhall, by every Conſtable into whoſe Charge the ſaid Vagrant ſhall come, be ſtript from the Waſte, upwards, and receive, if a Man, not exceeding *Thirty-one* Laſhes; if a Woman, not exceeding *Twenty-five* Laſhes, on the bare Back; and ſo, as often as he or ſhe ſhall return, after ſuch Tranſportation.

Penalty on Perſons that ſhall return after they have been tranſported.

III. And whereas by the Laws and Practice in Force and Uſe in ſome of his Majeſty's Iſlands and Plantations in *America*, very great Penalties are laid on ſuch Maſters of Ships, or other Veſſels, who ſhall carry off or tranſport from the ſaid Iſlands or Plantations, any Perſons not having firſt obtained a Ticket or Licence from the Governor of ſuch Iſlands or Plantations, permitting ſuch Tranſportation; and every Maſter of a Ship, or other Veſſel, trading to ſuch Iſland or Plantations, is to become bound, with ſufficient Sureties, in very large Sums of Money, not to carry off, or tranſport any Perſon without ſuch Ticket, Leave or Licence, firſt had and obtained, according to the uſual Forms and Methods practiſed in the ſaid Iſlands and Plantations: And whereas Perſons deeply indebted in the ſaid Iſlands and Plantations, find Means privately to be conveyed on board in Caſks or Cheſts, without the Knowledge of the Maſter of ſuch Veſſel, and conceal themſelves on board, till they are got ſo many Leagues from the ſaid Iſlands and Plantations, that it is impracticable to return to the ſaid Iſlands and Plantations, without manifeſt Hazard to the Voyage: Or, by untrue Allegations, feigned Letters, and deceitful Practices, and Inſinuations, prevail upon Maſters of Ships, or other Veſſels, to tranſport and carry off the ſaid Perſons, without having duly obtained ſuch Ticket or Licence, as aforeſaid, to the great Hurt, Damage and Loſs, as well of the ſaid Maſter ſo tranſporting, as of the Owners of ſuch Ships or Veſſels, and their Factors, Correſpondents, or Relations, who generally become Securities for the ſaid Maſter, and to the great Obſtruction of Trade, by making it difficult to procure Securities. In order therefore to prevent, as much as may be, the Damage and Loſs occaſioned to the Maſters, or Owners, belonging, or trading to this Province, by Reaſon of ſuch carrying off, and Tranſportation without Licence, as aforeſaid; **Be it Enacted** *by the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful, for any Maſter, or Owner of any Ship or Veſſel, bringing any Perſon or Perſons into this Province, from any the ſaid Iſlands or Plantations, without having obtained a Ticket or Licence, as aforeſaid; or for the Factor, Correſpondent or Attorney, of any Perſon who hath, or ſhall become Security for ſuch Maſter, to ſeize, apprehend and ſecure, any Perſon or Perſons ſo carried off, tranſported and brought into this Province, without having firſt obtained ſuch Ticket or Licence,

Penalty on Perſons tranſporting themſelves into this Province without Licence.

Licence, as aforesaid; and them shall carry before the Chief Justice of this Province, or Mayor of the City of *New-York*, for the Time being; and when brought before the said Chief Justice, or Mayor, if such Person or Persons, so brought, do not, by the Oath of one or more credible Witness or Witnesses, prove, he, she, or that they did, before their leaving such Island or Plantation, from whence they are said to be brought, produce to the Master, such Ticket or Licence, for their Transportation, as aforesaid, or shall not enter into Bond, with two sufficient Securities, inhabiting within this Province, in the Sum of *Two Thousand Pounds*, That such Person, so brought before the said Chief Justice or Mayor, his Heirs or Assigns, shall pay to the Master or Person having become Security in the said Island or Plantation, their, or either of their Heirs or Assigns, all Damages, Costs and Charges, that shall be suffered and expended, by the said Master and Person, having become Security, or either of them, their, or either of their Heirs, or Executors; that then, and in such Case, of not proving or giving Bond and Security, as aforesaid, the Person or Persons, so brought before the said Chief Justice, or Mayor, as aforesaid, shall remain in the Custody of the Person or Persons, so apprehending him, her, or them, to be sent back again to the Island or Plantation from whence they were carried off or transported, as aforesaid; any Law, Custom or Usage to the contrary hereof, in any wise notwithstanding.

IV. **And be it further Enacted** *by the Authority aforesaid*, That every Master of any Ship or Vessel, that shall enter in his Majesty's Custom-House, within the City of *New-York*, within Twenty-four Hours after his Arrival, make Report to the Mayor of said City, for the Time being, of all and every Person or Persons, that he shall bring in his Ship or Vessel, that is not ship'd as a Sailor on board of his said Ship or Vessel, under the Penalty and Forfeiture of *Five Pounds*, current Money of *New-York*; to be recovered by Warrant from the Mayor of said City; who is hereby impowered and required, to issue the same to the Under-Sheriff, or any Constable within said City, requiring them, or any of them, to levy the said Sum by Distress, upon the Master, his Goods and Chattels; the one Half to the Informer, and the other Half to the Church-Wardens of the said City, for the Use of the Poor; any Law, Usage or Custom to the contrary, in any wise notwithstanding; and if no Goods or Chattels to be found of said Master, to make Distress upon, then to be committed to Goal, and there to remain till he make Satisfaction for the same.

Masters of Vessels to make Report of all Persons by them imported, except the Marriners, within 24 Hours after their Arrival, under the Penalty of £ 5.

V. **And be it further Enacted** *by the Authority aforesaid*, That if any Master shall bring or land any Person or Persons within this Colony, that cannot give a good Account of themselves to the Mayor of said City, or like to be a Burthen to the Parish in said City; such Master, shall carry the said Person or Persons back again, to the Place from whence he or she came, under the Penalty of *Fifty Pounds*, current Money of this Province, or give sufficient Security, in the Sum of *Fifty Pounds*, current Money of *New-York*, to the Church-Wardens of said City, That the Person or Persons so imported, shall not be, or become a Charge to the Parish, as abovesaid; any Law, Usage or Custom to the contrary, in any wise notwithstanding.

And bringing in Persons that are like to be a Burthen to the Parish, shall carry them back, under the Penalty of £ 50, or give Security.

CHAP. CCCCXI.

An ACT *to prevent Lotteries in the Province of* New-York. Pass'd the 27th of July, 1721.

Further provided for, by Ch. 856.

WHEREAS the vending and disposing of Goods, Wares and Merchandizes, by way of Lottery, Raffling, Ballating, and voluntary Subscription, or otherways, that determines and alters the Property of Goods by Lot, as shall fall by Chance, having been used and practised, to the manifest Prejudice of

Preamble.

7th *GEORGE* I. A. D. 1721.

Trade, and Obſtructions of Commerce and Vendues, and proved of pernicious Conſequence to Merchants, Shop-keepers, and Traders; by which great Frauds have been, and daily are committed, in the Goodneſs and Quality of ſuch Goods, Wares and Merchandizes, as well as the Value thereof; by which there has been ſometimes double the Value advanced, and put on the Commodities, beyond their intrinſic Worth;

All Perſons vending Goods by way of Lottery Raffling, Ballating, Subſcription, or other Method depending upon Chance, to forfeit treble the Value of the Goods. The Forfeiture, how to be recovered, And applied, Except the Lottery of *William Lake*. Provided it be drawn on or before the firſt of *May*, 1722.

I. **Be it therefore Enacted** *by his Excellency the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That ſuch Perſon or Perſons, from and after the Publication hereof, who ſhall preſume to open or put in Practice, or vend or diſpoſe of, any Goods, Wares or Merchandizes, by Way or in Manner of Lottery, Raffling, Ballating, voluntary Subſcription, or other Method, that ſhall depend on, or be determined by Lot, or Chance; ſhall forfeit and pay double the Value of ſuch Goods ſo put up; to be recovered by any Perſon or Perſons, that ſhall and will ſue for the ſame, in any Court of Record within this Province, any Law, Uſage or Cuſtom to the contrary hereof in any wiſe notwithſtanding: One Half of which Forfeitures, to be paid to the Treaſurer of this Colony, for the Uſe of his Majeſty, his Heirs and Succeſſors, for and towards the Support of this Government; and the other Half to the Perſon or Perſons that ſhall ſo ſue for the ſame, as aforeſaid. *Provided nevertheleſs,* That a certain Lottery of *William Lake*, in Purſuance of a Licence obtained from this Government, for that Purpoſe, ſhall not be ſubject to the Penalties and Forfeitures of this Act; any Thing therein contained to the contrary notwithſtanding: *Provided,* The ſame be actually drawn, on or before the firſt Day of *May* next enſuing the Date hereof.

CHAP. CCCCXII.

See Chap. 152.

An ACT *for the more equal and impartial aſſeſſing the Miniſter and Poor's Tax, to be raiſed within the City and County of* New-York, *Queen's County,* Weſtcheſter *County, and County of* Richmond.

Paſs'd the 27th of July, 1721.

Preamble.

FOR the more orderly, equally and impartially, aſſeſſing the Miniſter and Poor's Tax, annually to be raiſed within the City and County of *New-York*, *Queen's* County, *Weſtcheſter* County, and the County of *Richmond*, purſuant to an Act of General Aſſembly of the Colony of *New-York*, paſſed in the fifth Year of the Reign of their late Majeſties, King WILLIAM and Queen MARY, entitled, *An* Act *for ſettling a Miniſtry, and raiſing a Maintenance for them in the City of* New-York, *County of* Richmond, Weſtcheſter *and* Queen's *County.*

The Veſtry-men for the City and County of *New-York*, &c. ſhall take an Oath, before they enter upon the Execution of their Office.

I. **Be it therefore Enacted** *by his Excellency the Governor, Council and General Aſſembly, and by the Authority of the ſame,* That the ſeveral Veſtry-men annually choſen by Virtue of the Act before mentioned, for the City and County of *New-York*, and Precincts of *Queen's* County, and the County of *Richmond*, and the County of *Weſtcheſter*, ſhall, before he or they take upon him or them, the Execution of ſaid Office, take an Oath, to be adminiſtred in theſe Words following, *viz.*

The Oath.

YOU do ſwear on the Holy Evangeliſt, That you, and every of you, ſhall well and truly execute the Duty of an Aſſeſſor, and equally and impartially, aſſeſs the ſeveral Freeholders and Inhabitants, according to the Value of their reſpective Eſtates, in an equal Proportion, in every of your reſpective Cities, Counties and Precincts, for which you are choſen Veſtry-men, and according to your beſt Skill and Knowledge therein. You ſhall ſpare no Perſon, for Favour or Affection; or grieve any Perſon, for Hatred or Ill-will. So help you GOD.

WHICH

7th GEORGE I. A. D. 1721.

WHICH Oath, any one Justice for the City of *New-York*, and any one Justice for the Precincts of *Queen*'s County, and any one Justice for the County of *Richmond*, and *Westchester* County, are hereby impowered and directed, to administer the same, unto the said Vestry-men, so yearly and every Year chosen; any Thing therein contained to the contrary hereof, in any wise notwithstanding.

Which may be administred by any Justice of the respective Counties.

CHAP. CCCCXIII.

An ACT *to continue the common Road, or King's Highway, from the Ferry, towards the Town of* Breuckland, *on the Island of* Nassau, *in the Province of* New-York. Pass'd the 27th of July, 1721.

WHEREAS several of the Inhabitants on the Ferry, on the Island of *Nassau*, by their Petition preferred to the General Assembly, setting forth, That they have been molested, by several Prosecutions, occasioned by the Contrivance and Instigations of ill and disaffected Persons, to the Neighbourhood, who would incroach upon the Building and Fences that have been made many Years ago, alledging the Road was not wide enough, to the great Damage of several of the old Inhabitants, on the said Ferry; the said Road, as it now is, has been so for at least this Sixty Years last past, without any Complaint, either of the Inhabitants or Travellers;

Preamble.

I. **Be it therefore Enacted** *by his Excellency the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same*, That the Road, or King's Highway, from the Ferry, upwards to the Town of *Breuckland*, on the Island of *Nassau*, in the Province of *New-York*, as far as to the swinging Gate of *John Rapalye*, just above the House and Land belonging to *James Harding*, shall be and remain the common Road or King's Highway, from the said Ferry, to the swinging Gate, as aforesaid, for ever, after the same Manner and Regulations, as it has been heretofore, and now is; any Law, Usage or Custom to the contrary hereof, in any wise notwithstanding.

The Highway from the Ferry, to the Town of *Breuckland*, to remain the King's Highway as heretofore.

II. **And be it further Enacted** *by the Authority aforesaid*, That all Suits or Prosecutions that have been occasioned by Difference arising about the said Roads, shall cease and be abated, from henceforth, and for ever, whether commenced by the Viewers or Surveyors of the Fences, or any other Person or Persons whatsoever.

All Differences relating thereto, to cease.

III. **Always Provided, and it is hereby further Enacted** *by the Authority aforesaid*, That if the Majority of the Inhabitants of *Brueckland*, shall adjudge Part of the Road near to the Ferry, to be so narrow and inconvenient, it shall and may be lawful for them, to cause any Jury of Twelve Men, out of the several Towns of *Kings* County, to be summoned by the Sheriff, by Warrant of two Justices of the Peace of the said County, to appraise upon Oath, the Value of so much Ground as shall be thought convenient to be added to the said King's Road or Highway; which Appraisement shall be levied upon the Inhabitants of *Breuckland*, by Assessment made by their Assessors; and to be collected by the Collector of the Township of *Breuckland*, for the Time being; and to be paid by the said Collector, to the Owner or Owners of the said Land so appropriated, for the King's Road or Highway, to satisfy and pay them for the same.

Provided, that if the Inhabitants of *Breuckland*, judge Part of the Road too narrow, a Jury shall appraise the Value of the Ground added thereto.

How such Appraisement shall be levied.

CHAP. CCCCXIV.

An ACT *for regulating Fences for the several Cities and Counties within this Colony.* Pass'd the 27th of July, 1721.

Explained by Chap. 489. Expired at the End of the first Sessions after 27th *July*, 1728. Provided for Chap. 887.

CHAP.

7th *GEORGE* I. A. D. 1721.

CHAP. CCCCXV.

The County of Suffolk *is exempted out of this Act, by* Chap. 422. Continued by Chap. 440.

An ACT *for the better clearing, and further laying out Highways.*
Paſs'd the 27th of July, 1721.

Private.

CHAP. CCCCXVI.

An ACT *to enable* Suſanna Parmyter, *to ſell and diſpoſe of an Houſe and Lot of Ground, in the City of* New-York.
Paſs'd the 27th of July, 1721.

CHAP. CCCCXVII.

Confirmed the 30th of *April*, 1724.

An ACT *to impower* Gilbert Livingſton, *to ſell and diſpoſe of certain Lots of Land, ſituate, lying and being in the City of* New-York.
Paſs'd the 27th of July, 1721.

Private.

CHAP. CCCCXVIII.

An ACT *for naturalizing* Johannes Van Soolingen, Johan Remarſe, Henry Schliedorn, Johan Bernard Vodren, *and* Johannes Hauſz.
Paſs'd the 27th of July 1721.

Private.

CHAP. CCCCXIX.

See Chap. 357. Repealed by Chap. 448.

An ACT *for ſettling the Militia of this Province, and making it more uſeful for the Security and Defence thereof, and for repealing all former Acts relating to the ſame.*
Paſs'd the 27th of July, 1721.

8th *GEORGE* I. A. D. 1722.

CHAP. CCCCXX.

That Part of the Act referred to, viz. Chap. 396, *is* expired, *and this Act is therefore* Obſolete.

An ACT *for making more effectual, an Act, entitled,* An *Act* for a Supply to be granted to his Majeſty, for ſupporting the Government in the Province of *New-York,* during the Time therein mentioned, and for repealing one Act of General Aſſembly of this Province, entitled, *An* Act *for a Supply to be granted to his Majeſty, for ſupporting his Government in the Province of* New-York, *from the firſt Day of* July, *which ſhall be in the Year of our Lord One Thouſand Seven Hundred and Twenty, to the firſt Day of* July, *One Thouſand Seven Hundred and Twenty-one.* Paſs'd the 22d of June, 1722.

CHAP. CCCCXXI.

See Chap. 405. Expired 1ſt *July*, 1724.

An ACT *for continuing the Currency of Bills of Credit to the Value of* Three Thouſand Ounces of Plate, *till the firſt Day of* July, *which will be in the Year of our Lord One Thouſand Seven Hundred and Twenty, to the firſt Day of* July, *which will be in the Year of our Lord One Thouſand Seven Hundred and Twenty-four.*
Paſs'd the 7th of July, 1722.

CHAP CCCCXXII.

See Ch. 404. Expired the 1ſt *July*, 1723.

An ACT *continuing a Clauſe in an Act of General Aſſembly, entitled,* An *Act* for the further laying-out, regulating, and clearing publick Highways, throughout this Colony, *ſo far as it relates to the County of* Suffolk, *in this Province.*
Paſs'd the 7th of July, 1722,

CHAP.

8th *GEORGE* I.
A. D. 1722.

CHAP. CCCCXXIII.

An ACT *reviving an Act of General Assembly, entitled,* An *Act* to prevent Damages by Swine in the County of *Westchester*, *Queens* County, and the County of *Richmond*, and for including *Kings* County and *Orange* County, in the same Manner. Pass'd the 7th of July, 1722.

See Chap. 277. Expired 7th of *July*, 1729.

CHAP. CCCCXXIV.

An ACT *for the more speedy and effectual Recovery of Arrears due and payable for Duties laid within this Colony.* Pass'd the 7th of July, 1722.

Expired 1st of *July*, 1723.

CHAP. CCCCXXV.

An ACT *for the further and more effectual prohibiting the selling Indian Goods to the* French. Pass'd the 7th of July, 1722.

Expired 19th of *November*, 1723, And repealed by the King, 11th of *December*, 1729.

CHAP. CCCCXXVI.

9th *GEORGE* I.
A. D. 1722.

An ACT *appointing Commissioners to let to farm the Excise of strong Liquors in the Cities and Counties in this Colony.* Pass'd the 1st of November, 1722.

Continued by Chap. 438.

CHAP. CCCCXXVII.

An ACT *for raising the Sum of* Five Hundred Pounds, *to encourage and promote a Trade with the remote Nations of Indians, and for securing the* Five Nations *to his Majesty's Interest; as also the Sum of* Three Hundred and Twenty Pounds Three Shillings and Two Pence, Three Farthings, *advanced by the several Persons therein named, for repairing the Fortifications on the Frontiers.* Pass'd the 1st of November, 1722.

Obsolete.

CHAP. CCCCXXVIII.

An ACT *for paying* Gerrit Van Horne, Jacobus Kip, David Provoost, *and* Johannes Janse, *Esquires, for serving in General Assembly.* Pass'd the 1st of November, 1722.

Private.

CHAP. CCCCXXIX.

An ACT *for paying the Representatives of the City and County of* Albany. Pass'd the 1st of November, 1722.

WHEREAS by an Act of the General Assembly of this Colony, made in the fourth Year of her late Majesty's Reign, entitled, *An* Act *for defraying the common and necessary Charges of the Manor of* Ranselaerwick, *in the County of* Albany, it was, amongst other Things, enacted, That the Wages paid to their Representative, shall be the Sum of *Ten Shillings*, for each Day of their Service in the General Assembly of this Colony. And whereas the Supervisors of the said City and County have, of late, been unwilling to allow the said Wages to the Representatives of the said City and County; but, instead thereof, have only allowed and raised the Sum of *Six Shillings per Diem*;

Preamble.

9th *GEORGE* I. A. D. 1722.

I. **Be it therefore Enacted** *by his Excellency the Governor, and Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the Superviſors of the ſaid City and County, are hereby directed to allow and raiſe, for all and every the preſent Repreſentatives of the ſaid City and County, reſpectively, ſo much of the ſaid Wages of *Ten Shillings per Diem*, for their reſpective Services in the General Aſſembly of this Colony, according to their reſpective Certificates, dated the twenty-ſeventh Day of *July*, in the Year of our Lord One Thouſand ſeven Hundred and Twenty-one, containing eighty-two Days, (Journey Days excepted) as hath been, by the ſaid Superviſors, neglected to be raiſed, to make up the Sum of *Ten Shillings per Diem* for each of the ſaid Repreſentatives of the ſaid City and County: And the Superviſors of the ſaid City and County, for the Time being, ſhall, from Time to Time, allow the Sum of *Ten Shillings per Diem*, for each Repreſentative in the ſaid City and County, for ſo many Days as the Certificates thereof ſhall reſpectively expreſs, with their Journey Days, not exceeding eight Days for coming, and the like for going. And if any Superviſor or Superviſors ſhall, at any Time or Times hereafter, refuſe or neglect to put this Act in Execution, ſo far forth as it ſhall concern the ſaid Superviſors, or any of them, ſo that the Money appearing due by the ſaid Certificates and Journey Days, to be produced to them in Manner aforeſaid, be not raiſed on or before the firſt Tueſday in the Month of *February*, yearly, and every Year hereafter; every ſuch Superviſor ſhall, for every ſuch Offence, forfeit the Sum of *Fifty Pounds*, lawful Money of this Colony; to be recovered by any Perſon injured, wronged or delayed, that ſhall ſue and proſecute to Effect for the ſame, in any Court of Record within the ſaid City and County; any Law, Uſage or Cuſtom to the contrary hereof, in any wiſe notwithſtanding. *Provided*, That this Act, nor any Clauſe therein contained, ſhall be conſtrued to oblige the Freeholders and Inhabitants of the Manor of *Ranſelaerwick*, Townſhip of *Schenectady*, and the Manor of *Livingſton*, or any of them, to pay any other Repreſentative, than ſuch Repreſentative as ſhall be choſen to ſerve for the ſaid Manor of *Ranſelaerwick*, Townſhip of *Schenectady*, and Manor of *Livingſton*, reſpectively.

Superviſors to allow the Repreſentatives of the City and County, Wages of 10*ſ. per Diem.*

Manors of *Renſelaerwick*, *Livingſton*, and Townſhip of *Schenectady*, to contribute only to their own Repreſentatives.

II. **And be it further Enacted** *by the Authority aforeſaid*, That the Superviſor or Superviſors, for the Town of *Schenectady*, in the ſaid County of *Albany*, be, and are hereby directed, at their next Meeting, to take effectual Care that the Arrears due to their Repreſentative in General Aſſembly, be duly paid and ſatisfied.

Superviſors of *Schenectady*, directed to pay off Arrears.

CHAP. CCCCXXX.

Confirmed 30th of *April*, 1724.

Private.

An ACT *to enable Truſtees therein named, to take, ſell, and diſpoſe of certain Lots of Land, the Eſtate of* Gilbert Livingſton, *in the City of* New-York, *for the Payment of a certain Bond given, and Debt due to his Majeſty, on the ſaid* Gilbert Livingſton *his Contract, for the farming the Exciſe of this Province.*

Paſs'd the 1ſt of November, 1722.

CHAP. CCCCXXXI.

The Funds for ſinking the Bills emitted by Chap. 292, *being found inſufficient for that Purpoſe, this Act was made effectually to ſink them by a Tax on Eſtates real and perſonal, which being undoubtedly effected, it was thought needleſs to print this Act.*

An ACT *for raiſing the Quantity of* Three Thouſand Ounces of Plate, *for the effectual ſinking and cancelling Bills of Credit to that Value.*

Paſs'd the 1ſt of November, 1722.

CHAP.

CHAP. CCCCXXXII.

9th *GEORGE* I. A. D. 1722.

Private.

An ACT *for the better enabling* Job Duſochany, *Son and Heir to* Mark Duſochany, *late of the County of* Richmond, *Yeoman, deceaſed, and other the Children of the ſaid* Mark Duſochany, *to ſell ſundry Pieces and Parcels of Land, given and deviſed to them reſpectively, in and by the laſt Will and Teſtament of their ſaid Teſtator, in order to pay off and diſcharge the Incumbrances thereupon, and other the Debts of the ſaid Teſtator yet remaining unſatisfied.*

Paſs'd the 1ſt of November, 1722.

CHAP. CCCCXXXIII.

An ACT *to increaſe the Number of Superviſors in the County of* Weſtcheſter, *and that no Wages of Superviſors ſhall be any Part of the ſaid County's Rate for the Future.*

Paſs'd the 1ſt of November, 1722.

Preamble.

See Chap. 96.

WHEREAS in and by an Act of the General Aſſembly, paſs'd in the ſecond Year of her late Majeſty's Reign, entitled, *An Act for the better explaining and more effectual putting in Execution, an Act of the General Aſſembly, made in the third Year of the late King* WILLIAM *and Queen* MARY, *entitled,* An *Act* for defraying the publick and neceſſary Charge throughout this Province, and for maintaining the Poor, and preventing Vagabonds; it was, among ſeveral other Things, Enacted, That in each reſpective Town within this Province, the Freeholders and Inhabitants thereof, ſhould, on every firſt *Tueſday* in *April*, annually, chuſe a Superviſor; and that each and every Inhabitant, being a Freeholder, in any Manor, Liberty, Juriſdiction, Precinct, or Out-Plantation, ſhould have the Liberty to join his or their Votes, with the next adjacent Town in the County where ſuch Inhabitant ſhould dwell, as in and by the ſaid Act may more at large appear: And whereas by that Means, the Inhabitants of ſeveral Manors, Liberties and Precincts, which bear and pay a conſiderable Share of the County Rate, had not the Liberty of chuſing their own Superviſors; and ſome others, who have that Liberty, bear and pay a leſs Proportion thereof, than the Wages and Allowance of their own particular Superviſors does amount to, whereby the ſaid County Rate is become very heavy and burthenſom to the Freeholders and Inhabitants thereof: For Remedy of which,

Freeholders, &c. of any Town, Manor, Liberty, and Precinct, in *Weſtcheſter* County to chuſe annually a Superviſor.

I. **Be it therefore Enacted** *by his Excellency the Governor, Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That it ſhall and may be lawful for the Freeholders and Inhabitants of every Town, Manor, Liberty, and Precinct, within the ſaid County of *Weſtcheſter*, annually to chuſe, on every firſt *Tueſday* in *April*, a Superviſor, being a Freeholder, (except the Borough of *Weſtcheſter*, who are to make ſuch Choice at the Time appointed in their Charter) for each of the ſaid Towns, Manors, Liberties and Precincts; *Provided*, There are not leſs than Twenty Inhabitants within the ſame, reſpectively: And for ſuch Manor or Manors as (in their Rates and Taxes) have uſually been, or hereafter may be divided in two or more Diviſions, that a Superviſor may, in like Manner, be choſen for each of ſuch Diviſion, by the Freeholders and Inhabitants thereof; and where the ſaid Inhabitants ſhall omit to make ſuch annual Choice in any of the ſaid Diviſions, and in ſuch Manor or Manors, where not above the Number of Twenty Inhabitants do dwell and reſide; the Owner or Owners, of ſuch Manor or Manors, or of ſuch Diviſion thereof as aforeſaid, or their Stewards or Deputies, ſhall be deemed and eſteemed the Superviſors thereof reſpectively, and have the ſame Powers,

Where no Election is made in a Manor, the Owner or his Steward, to be eſteemed the Superviſor.

9th *GEORGE* I. A. D. 1722.

Powers, to all Intents, Conſtructions and Purpoſes whatſoever, as thoſe choſen by Virtue of the Act before mentioned; any Thing therein contained, or any Practice to the contrary hereof in any wiſe notwithſtanding.

Their Wages to be a Charge on their Electors, and not a County Charge.

II. **And be it further Enacted** *by the Authority aforeſaid*, That from and after the Publication of this Act, none of the Superviſors in the ſaid County, ſhall be entitled to any Wages or Reward, for their ſeveral Services in that Capacity; and that no Part of their, or any of their Wages, ſhall be brought in or allow'd as a Charge on the ſaid County, upon any Pretence whatſoever; but that the ſame ſhall be paid and diſcharged by the Freeholders and Inhabitants of each of the ſeveral Towns, Manors, Liberties, and Precincts, for which they reſpectively, ſhall appear and act as Superviſors.

They ſhall meet annually on the 1ſt Tueſday of *October*.

Their Clerk, by Circular Letters, ſhall notify their Adjournments.

At their ſecond Meeting, the major Part, or any five of them, veſted with the Power of all.

This Act confined to *Weſtcheſter* County.

III. AND to the End that increaſing the Number of Superviſors, may in no wiſe obſtruct their computing, raiſing and levying, annually, ſuch Sum or Sums of Money, for diſcharging ſuch publick neceſſary contingent Charges as they ſhall find the ſaid County properly chargeable with; **Be it further Enacted** *by the Authority aforeſaid*, That the ſaid Superviſors ſhall, for that Purpoſe, annually meet, as uſual, on every firſt *Tueſday* of *October*, at the County Town, and then adjourn to ſuch Place and Time as they, or the major Part of them ſo meeting, ſhall think convenient; and the Clerk of the ſaid Superviſors, ſhall by circular Letters, ſignify to the abſent Superviſors, the Place and Time to which ſuch Adjournment is made: And at ſuch ſecond or further Meeting or Meetings, the major Part of the ſaid Superviſors, or any five of them, ſhall, and hereby are required to do and perform, all and every Act and Thing, and ſhall be veſted with all and ſingular the Powers given to Superviſors, in and by the Act before mentioned; any Thing contained herein, to the contrary hereof, notwithſtanding. *Provided*, That this Act ſhall extend to no other County, than to the ſaid County of *Weſtcheſter*; and that the afore-mentioned Act, in all Matters, Clauſes, and Things, ſhall be and remain in full Force and Virtue, ſaving ſo much thereof only, as in this Act is otherwiſe directed and provided for, any Thing herein to the contrary hereof in any wiſe notwithſtanding.

CHAP. CCCCXXXIV.

Private.

An ACT *for paying* Ebenezer Wilſon, John Van Horne, Abraham Governeur, *and* Sarah, *the Widow and Relict of* Johannes Hardenbrook, *deceaſed.*

Paſs'd the 1ſt of November, 1722.

9th *GEORGE* I. A. D. 1723.

CHAP. CCCCXXXV.

See Chap. 295. Revived by Chap. 515.

An ACT *for reviving an Act, entitled,* An *Act* for the Encouraging of Navigation.

Paſs'd the 6th of July, 1723.

CHAP. CCCCXXXVI.

Provided for by Chap. 496. Obſolete.

An ACT *to prevent Deſertion from his Majeſty's Forces in the Province of* New-York.

Paſs'd the 6th of July, 1723.

CHAP.

CHAP. CCCCXXXVII.

9th GEORGE I. A.D. 1723.

An ACT *for raising and levying the Quantity of* Five Thousand Three Hundred and Fifty Ounces of Plate, *for the Uses therein mentioned, and for striking and making Bills of Credit of that Value.*

Pass'd the 6th of July, 1723.

The greatest Part of this Act being unnecessary to be printed; the Sections relating to the Emission of the Bills, are those that follow.

XV. AND for the more speedy and effectual Payment of the Salaries of the said Officers, and to make proper and sufficient Provision for the Purposes before mentioned;

Be it Enacted *by his Excellency the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That Bills of Credit to the Value of *Five Thousand Three Hundred and Fifty Ounces of Plate*, of the *Spanish* Coins of *Sevil*, *Mexico*, or *Pillar* Plate, be forthwith printed and made, upon the Credit of the Plate to be raised and levied by Virtue of this Act, *that is to say*; Two Hundred and Forty-three Bills of Eleven Ounces and Five Penny-weight each: Two Hundred and Ninety-nine Bills of Eight Ounces and Fifteen Penny-weight each: Upon every of which Bills shall be impressed, on the Middle of the said Bills, the Arms of the City of *New-York*, and on the Top of each of them, shall be printed the Quantity of Plate they shall go current for: And the said Bills shall be in the Form following, *viz.*

The Number of Bills to be emitted.

THIS indented Bill of Ounces, and Penny-weight of Plate, due from the Colony of New-York, *to the Possessor thereof, shall be in Value equal to Plate, and shall be accordingly accepted by the Treasurer of this Colony for the Time being, in all publick Payments, and for any Fund at any Time in the Treasury. Dated in* New-York, *the second Day of* July, *One Thousand Seven Hundred and Twenty-three; by Order of the Governor, Council, and General Assembly.*

The Form of the Bills.

WHICH Bills shall be signed and numbred by *David Provost*, *Johannes Jansen*, *Jacobus Kip*, *John Cruger*, and *Gerardus Beekman*, jun. Esquires, or any three of them.

The Signers.

XVI. **And be it Enacted** *by the Authority aforesaid*, That the Bills of Credit aforesaid, herein and hereby directed to be made current, shall be sunk, cancelled and destroyed, by the Treasurer of this Colony for the Time being, in the Presence of the Signers aforesaid, or the major Part of them that shall be then alive, on the Days and Times herein after mentioned, *that is to say*; so many of the said Bills of Credit as shall amount to the Value of One Thousand Seven Hundred and Eighty-three Ounces, six Penny-weight and sixteen Grains, being the one third Part of the Value of all the Bills made current by this Act, shall be sunk and destroyed on the first Day of *July*, which will be in the Year of our Lord One Thousand Seven Hundred and Twenty-four; so many more of the said Bills of Credit as shall amount to the Value of One Thousand Seven Hundred and Eighty-three Ounces, six Penny-weight and sixteen Grains of Plate, being another third Part of the Value of all the Bills, as aforesaid made current, shall be sunk and destroyed on the first Day of *July*, which will be in the Year of our Lord One Thousand Seven Hundred and Twenty-five; and all the Remainder of the said Bills shall be sunk, cancelled and destroyed, on the first Day of *July*, which will be in the Year of our Lord One Thousand Seven Hundred and Twenty-six: And the Treasurer of this Colony for the Time being, is hereby directed to sink and destroy all the said Bills accordingly.

One third Part of them to be sunk on the first of *July* 1724.

Another third Part on the first of *July* 1725.

The remaining third Part on the first of *July*, 1726.

XVII. AND WHEREAS it may so happen, that some of the said Bills may, after the first Day of *July*, which will be in the Year of our Lord One Thousand Seven Hundred and Twenty-six, be and remain in the Hands of private

9th *GEORGE* I. A. D. 1723.

Perſons, ſo that they cannot conveniently be brought to the Treaſurer of this Colony, in order to be ſunk and deſtroyed on the ſaid firſt Day of *July*, One Thouſand Seven Hundred and Twenty-ſix; **Be it therefore Enacted** *by the Authority aforeſaid*, That any Perſon or Perſons, who ſhall, on the ſaid firſt Day of *July*, or on or before the firſt Day of *May*, which will be in the Year of our Lord One Thouſand Seven Hundred and Twenty Seven, bring and deliver to the Treaſurer of this Colony, for the Time being, any Bill or Bills made current by this Act; every Perſon ſo bringing and delivering any ſuch Bill or Bills, ſhall, by the Treaſurer, be paid to the Value of them, out of the Funds or publick Money in his Hands, at the Time of bringing and delivering ſuch Bill or Bills; which ſaid Bill or Bills, ſo brought in and delivered to the Treaſurer, ſhall by him be ſunk and deſtroyed at the Times of delivering the ſame, on or before the firſt Day of *May*, aforeſaid: After which Day, the ſaid Treaſurer is not to exchange any of the Bills made current by this Act, nor take them in Payment longer than till the firſt Day of *July*, which will be in the Year One Thouſand Seven Hundred and Twenty-ſix, aforeſaid.

The Time limited to the Treaſurer for exchanging them.

XVIII. And that it may be truly known what Number and Value of Bills are ſunk and deſtroyed on the ſaid firſt Days of *July*, which will be in the Year of our Lord One Thouſand Seven Hundred and Twenty-four, One Thouſand Seven Hundred and Twenty-five, and One Thouſand Seven Hundred and Twenty-ſix, or at any Time before the ſecond Day of *May* then next following; **It is hereby further Enacted**, That the Treaſurer of this Colony, at that, or any of thoſe Times being, ſhall keep a true and perfect Account of all ſuch Bills by him received and deſtroyed; which Account he ſhall render upon Oath, if thereto required, by the Governor, Council, and General Aſſembly, or either of them.

The Treaſurer to keep Accounts, &c.

XIX. **And be it Enacted** *by the Authority aforeſaid*, That the Perſons appointed for the Signing of the ſaid Bills of Credit, ſhall take an Oath before any one of the Aldermen of the City of *New-York*, for the true ſigning and delivering of all the ſaid Bills of Credit; *that is to ſay; That they, the Signers, or the greater Number of them alive, will truly ſign all the ſaid Bills of Credit made current by this Act, and no more, except impowered by an Act of Aſſembly of this Province ſo to do; and that they, the Perſons ſigning the ſame, will deliver unto the Treaſurer of this Colony, for the Time being, all the Bills of Credit ſo ſigned by them, and no more than the Number mentioned in this Act, according to the true Intent and Meaning of the ſame.*

The Oath to be taken by the Signers.

XXIII. **And be it further Enacted** *by the Authority aforeſaid*, That the Bills of Credit appointed and enacted by this Act to be current, ſhall be received in all Caſes whatſoever, by any Perſon within this Province, during the Time they are enacted to continue, and be as effectually current as any other Bills of Credit made current in this Colony, by any Act of the General Aſſembly of this Province; and any Perſon refuſing to take them in Payment, for any Sum due, or hereafter to become due, or for any Contract already made, or hereafter to be made, or for any Conſideration whatſoever, for any Effects or Services already delivered or performed, or hereafter to be delivered or performed; ſhall be liable, and is hereby made liable and ſubjected to all the Penalties and Forfeitures contained in any, or all the Acts of the General Aſſembly of this Colony, at any Time enacting and enforcing the Currency of Bills of Credit, as fully, to all Intents, Conſtructions, and Purpoſes whatſoever, as if the Words of all or any the Acts aforeſaid, relating to the Bills of Credit, or enacting and enforcing the Currency of ſuch Bills of Credit in them mentioned, had been particularly expreſſed or tranſcribed, and hereby Enacted; any Thing in this Act, or any other Act of the General Aſſembly of this Province, to the contrary hereof in any wiſe notwithſtanding.

The Bills hereby emitted, ſhall be current in all Payments, &c.

XXIV. And

9th *GEORGE* I. A. D. 1723.

XXIV. **And be it Enacted** *by the Authority aforesaid*, That if any Person or Persons whatsoever, shall presume to counterfeit any of the Bills of Credit made current by this Act, or shall alter any of the said Bills made current, as aforesaid, so that they shall appear to be of greater Value than by this Act the same Bills, so altered, were enacted, signed and numbred to pass current for, or shall knowingly pass any of the Bills aforesaid, so counterfeited or altered: Every Person guilty of counterfeiting or altering any of the said Bills, as aforesaid, shall be guilty of Felony, and convicted of such counterfeiting or altering, shall suffer Death accordingly, and not have the Benefit of Clergy; and every Person knowingly passing any such counterfeit or altered Bill, and convicted thereof, shall also suffer the Pains of Death, without Benefit of Clergy.

Counterfeiting them, or knowingly passing such Bills, Felony without Benefit of Clergy.

CHAP. CCCCXXXVIII.

An ACT *for continuing an Act, entitled,* An *Act* appointing Commissioners to let to farm the Excise of strong Liquors in the Cities and Counties in this Colony.

Pass'd the 6th of July, 1723.

See Chap. 426. Expired 1st of *November*, 1725.

CHAP. CCCCXXXIX.

An ACT *for paying the Charges and Expences of two Wooden-Houses, or Sheds, built near the City of* Albany, *for the Accommodation of the Indians trading at* Albany, *and for keeping them in good Repair.*

Pass'd the 6th of July 1723.

Obsolete.

CHAP. CCCCXL.

An ACT *to continue an Act of General Assembly, entitled,* An *Act* for the better clearing, and further laying-out Highways.

Pass'd the 6th of July, 1723.

See Chap. 415. Expired 27th of *July*, 1730.

CHAP. CCCCXLI.

An ACT *for the clearing, and further laying-out of Highways in the City and County of* Albany.

Pass'd the 6th of July, 1723.

Expired the 6th of *July*, 1730.

CHAP. CCCCXLII.

An ACT *to revive an Act, entitled,* An *Act* to authorise the Justices of the Peace to build and repair Goals, and Court-Houses, in the several Counties of this Province, *so far as it relates to* Queens *County.*

Pass'd the 6th of July, 1723.

See Chap. 373. Expired the 21st *September*, 1726.

CHAP. CCCCXLIII.

An ACT *to determine and take off the Reward allowed by former Acts, for killing and destroying Wild-Cats and Foxes.*

Pass'd the 6th of July, 1723.

All the Acts referred to, are expired, *and therefore this is* Obsolete.

CHAP.

9th *GEORGE* I. A. D. 1723.

CHAP CCCCXLIV.

Private.

An ACT *for naturalizing* Cornelius Santwoord, Johannes Martinus Vanharlingen, Pieter Stellingwerf, Abraham Roeters, Jacobus Weſſelſe, Abraham Yſaaks, David Elias, Jacob Hays, Floris Van Taerling, John Maſſon, Chriſtopher Lawrence, Peter Malleville, Elizabeth Boues, Joſeph Simſon, Jean Malleville, Johanna Sophia Titlma, *Widow of* Jacobus Dekey, *late of the City of* New-York, *deceaſed*; Iſaac Rodriguez, Andries Truby, Iſaia Valleau, Dina Marche, Leven March, Solomon Myers, Bartell Mieler, Yoes Soey, John Peter Zenger, *and* Henry Michael Coxe.

Paſs'd the 6th of July, 1723.

CHAP. CCCCXLV.

Private.

An ACT *for naturalizing* Catharine De Peyſter, Geerſtruyd Coeyemans, Sarah Governeur, John Van Loo.

Paſs'd the 6th of July, 1723.

CHAP. CCCCXLVI.

Private.

An ACT *to enable* Thomas Dongan, *and* Walter Dongan, *two ſurviving Kinſmen of* Thomas *late Earl of* Lymerick, *to ſell ſome Part of their Eſtate, for Payment of their Debts, and diſcharging ſome Incumbrances wherewith the ſame is now charged.*

Paſs'd the 6th of July, 1723.

CHAP. CCCCXLVII.

10th *GEORGE* I. A. D. 1724.

An ACT *for raiſing and levying the Sum of* Six Thouſand Six Hundred and Thirty Pounds, *for the ſupplying the Deficiencies of his Majeſty's Revenue, and for the ſeveral Uſes and Purpoſes therein mentioned, and for making of Bills of Credit to be iſſued for that Value.*

Paſs'd the 24th of July, 1724.

It was thought needleſs to print the greateſt Part of this Act, relating to the levying Money; what relates to the Bills emitted, is contained in the following Sections.

XVI. AND WHEREAS the Money hereby enacted to be raiſed and levied cannot be collected and paid to the Treaſurer of this Province, in ſuch convenient Time as will be neceſſary to anſwer the Purpoſes aforeſaid: In order therefore to make a more ſpeedy and effectual Proviſion for all the Purpoſes before mentioned; **Be it Enacted** *by the Governor, Council and General Aſſembly of this Province, and it is hereby Enacted by the Authority of the ſame,* That Bills of Credit to the Value of *Six Thouſand Six Hundred and Thirty Pounds,* be forthwith printed, made and iſſued, upon the Credit of the Money to be raiſed and levied by Virtue of this Act; *That is to ſay*; Two Hundred and Fifty Bills of the Value of *Three Pounds Twelve Shillings*, each Bill; Three Hundred and Eighty Bills, each Bill of the Value of *Three Pounds Four Shillings*; Eight Hundred Bills, each Bill of the Value of *One Pound Twelve Shillings*; One Thouſand Four Hundred and Ninety-five Bills, of the Value of *Fourteen Shillings* each Bill; Three Thouſand Bills, each Bill of the Value of *Seven Shillings and Six Pence*; Four Thouſand Bills, each Bill of the Value of *Three Shillings and Nine Pence*; And Five Thouſand Bills, each Bill of the Value of *One Shilling and Three Pence.*

The Number and Value of the Bills of Credit that are now to be emitted.

UPON each and every one of the ſaid Bills, ſhall be impreſſed on the left left Side thereof, the Arms of the City of *New-York*, and ſhall be in the Form following; *That is to ſay*;

THIS

10th GEORGE I. A. D. 1724.

THIS indented Bill, due from the Colony of New-York, *to the Poſſeſſor, ſhall paſs in all Payments for purſuant to any Act of the Governor, Council, and Aſſembly of the ſaid Colony. Dated the Tenth Day of* July, 1724.

The Form of the Bills.

XVII. **And be it Enacted** *by the Authority aforeſaid*, That every of the ſaid Bills of Credit hereby made current, ſhall, beſides the Value mentioned in the Body of the Bill, have on the Top of them, in Words at length, and at the Bottom of them, in Figures, on the right and left Side, expreſſed the Value they are to go current for; and ſhall be indented, numbred and ſigned, by *David Provooſt*, *Johannes Janſen*, *Jacobus Kip*, *John Cruger*, and *Gerardus Beekman*, or any three of them; which ſaid Signers, ſhall each of them receive the Sum of *Fifteen Pounds*, in Bills of Credit made current by this Act, as a Reward for their ſigning the ſaid Bills, with their Counterparts, and for their Service in ſinking and deſtroying the ſaid Bills; and their Receipts reſpectively, for the Sums above mentioned, ſhall be a good and ſufficient Diſcharge to the Treaſurer for the ſame.

The Signers Names & Reward.

XX. **And be it further Enacted** *by the Authority aforeſaid*, That the Bills of Credit enacted and appointed by this Act to be current, ſhall be received by the Treaſurer of this Colony, in all publick Payments, and for any Fund at any Time in the Treaſury, and by any Perſon within this Province, in all Caſes whatſoever, during the Time they are enacted to continue, and be as effectually current as any other Bills of Credit made current in this Colony, by any Act of the General Aſſembly of the ſame; and any Perſon refuſing to take them in Payment (during the Time hereby appointed for the ſaid Bills to be current) for any Sum due, or hereafter to become due, or for any Contract already made, or hereafter to be made, or for any Conſideration whatſoever, for any Effects or Services already delivered or performed, or hereafter to be delivered or performed; ſhall be liable, and is hereby made liable and ſubjected to all the Penalties and Forfeitures contained in any, or all the Acts of the General Aſſembly of this Colony, at any Time enacting and enforcing the Currency of Bills of Credit, as fully, to all Intents, Conſtructions and Purpoſes whatſoever, as if the Words of all, or any of the Acts aforeſaid, relating to the Bills of Credit, or enacting and enforcing the Currency of the Bills of Credit in them mentioned, had been particularly expreſs'd or tranſcribed, and herein and hereby enacted.

Currency of the Bills enforced.

XXI. **And be it Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons whatſoever, ſhall preſume to counterfeit any of the Bills of Credit made current by this Act, or ſhall alter any of the ſaid Bills made current, as aforeſaid, ſo that they ſhall appear to be of greater Value than by this Act the ſame Bill or Bills, ſo altered, were enacted, ſigned or numbred to paſs current for, or ſhall knowingly paſs, or give in Payment, any of the Bills aforeſaid, ſo counterfeited or altered; every Perſon guilty of counterfeiting or altering any of the ſaid Bills, as aforeſaid, or of knowingly paſſing, or giving in Payment, any ſuch counterfeit or altered Bill, ſhall be guilty of Felony; and being thereof convicted, ſhall ſuffer the Pains of Death, without the Benefit of Clergy.

Counterfeiting them, or knowingly paſſing ſuch Bills, Felony without Benefit of Clergy.

XXII. **And be it Enacted** *by the ſame Authority*, That the Bills of Credit aforeſaid, herein and hereby directed to be made current, ſhall be ſunk, cancelled and deſtroyed, by the Treaſurer of this Colony, for the Time being, in the Preſence of the Signers aforeſaid, or the greater Number of them that ſhall be then alive, on the Days and Times hereafter mentioned; *That is to ſay*; So many of the ſaid Bills of Credit as ſhall amount to the Sum of *One Thouſand Six Hundred and Fifty-ſeven Pounds Ten Shillings*, being one fourth Part of the Value of all the Bills made current by this Act, on or before the firſt *Tueſday* in

One fourth Part of the Bills to be ſunk on the firſt *Tueſday* of *Auguſt*, 1725.

10th *GEORGE* I. A. D. 1724.

the Month of *Auguſt*, which will be in the Year of our Lord One Thouſand Seven Hundred and Twenty-five; ſo many other of the ſaid Bills as ſhall amount to the Sum of *One Thouſand Six Hundred and Fifty-ſeven Pounds Ten Shillings*, aforeſaid, being one other fourth Part of the Value of the ſaid Bills made current by this Act, on or before the firſt *Tueſday* in the Month of *Auguſt*, which will be in the Year One Thouſand Seven Hundred and Twenty-ſix; ſo many of the ſaid Bills of Credit as ſhall amount to the Sum of *One Thouſand Six Hundred and Fifty-ſeven Pounds Ten Shillings*, being one other fourth Part of all the Bills made current by this Act, on or before the firſt *Tueſday* in the Month of *Auguſt*, which will be in the Year One Thouſand Seven Hundred and Twenty-ſeven; and all the remaining Bills, amounting to the Value of *One Thouſand Six Hundred and Fifty-ſeven Pounds Ten Shillings*, being the other and laſt fourth Part of the Money hereby raiſed, ſhall be burned and deſtroyed on the firſt *Tueſday* in the Month of *Auguſt*, which will be in the Year of our Lord One Thouſand Seven Hundred and Twenty-eight.

Another fourth Part on the firſt *Tueſday* of *Auguſt*, 1726.

Another fourth Part on the firſt *Tueſday* of *Auguſt*, 1727.

The remaining fourth Part on the firſt *Tueſday* of *Auguſt*, 1728.

XXIII. AND whereas it may ſo happen, that ſome of the ſaid Bills may, after the ſaid firſt *Tueſday* in the Month of *Auguſt*, which will be in the Year of our Lord One Thouſand Seven Hundred and Twenty-eight, be and remain in the Hands of private Perſons, ſo that they cannot conveniently be brought to the Treaſurer of this Colony, in order to be deſtroyed on the ſaid firſt *Tueſday* of *Auguſt*, One Thouſand Seven Hundred and Twenty-eight; **Be it therefore Enacted** *by the Authority aforeſaid*, That any Perſon or Perſons, who ſhall, on the ſaid firſt *Tueſday* of *Auguſt*, or on or before the firſt Day of *July*, which will be in the Year of our Lord One Thouſand Seven Hundred and Twenty-nine, bring and deliver to the Treaſurer of this Colony, for the Time being, any Bill or Bills made current by this Act; every Perſon ſo bringing and delivering any ſuch Bill or Bills, ſhall, by the ſaid Treaſurer, be paid the full Value of them, out of the Funds or publick Money in his Hands, at the Time of bringing and delivering ſuch Bill or Bills; which ſaid Bill or Blls, ſo brought in and delivered to the Treaſurer, ſhall be by him, in the Preſence of the Signers aforeſaid, be burned and deſtroyed on or before the ſaid firſt Day of *July*, in the aforeſaid Year One Thouſand Seven Hundred and Twenty-nine; after which Day, the ſaid Treaſurer is not to exchange any of the Bills made current by this Act, nor take them in Payment, longer than till the firſt *Tueſday* in the Month of *Auguſt*, which will be in the Year of our Lord One Thouſand Seven Hundred and Twenty-eight.

The Treaſurer ſhall not exchange the Bills after the firſt Day of *July*, 1729.

XXIV. AND that it may be truly known what Number and Value of Bills are burned and deſtroyed, at any, or all the Times mentioned in this Act, for burning and deſtroying the ſaid Bills; **It is further Enacted**, That the Treaſurer of this Colony, at any of the reſpective Times herein before mentioned, ſhall keep a true and perfect Account of all ſuch Bills by him received, and deſtroyed; which Account he ſhall render upon Oath, if thereto required by the Governor, Council, and General Aſſembly, or either of them.

Account to be kept of the Bills deſtroyed

XXV. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Treaſurer ſhall keep exact and true Books and Accounts, of all the Receipts and Payments to be made by him, by Virtue of this Act, diſtinguiſhing therein the ſeveral and reſpective Uſes and Services, according to the true Intent and Meaning of this Act; and that he ſhall render Accounts thereof upon Oath, to the Governor, for the Time being, the Council, and General Aſſembly, when by them, or either of them, thereunto required.

Accounts to be kept of all Money received and paid.

CHAP.

10th *GEORGE* I. A. D. 1724.

CHAP. CCCCXLVIII.

An ACT *for settling and regulating the Militia of this Province, and making the same useful for the Security and Defence thereof, and for repealing all other Acts relating to the same.* Pass'd the 24th of July, 1724.

See Chap. 419. Continued by Chap. 511.

CHAP. CCCCXLIX.

An ACT *for continuing the Acts made for prohibiting the selling of Indian Goods to the* French, *with some Alterations.* Pass'd the 24th of July, 1724.

Repealed by the King the 11th of *December*, 1729.

CHAP. CCCCL.

An ACT *for making Bills of Credit, and putting the same into the Treasurer's Hands, for exchanging therewith such Bills of Credit of this Province as are torn and defaced.* Pass'd the 24th of July, 1724.

See Chap. 280 and 347. Further Provision for exchanging torn Bills, Chap. 492.

Preamble.

WHEREAS by Virtue of an Act of the General Assembly of this Colony, pass'd in the Thirteenth Year of her late Majesty's Reign, and ratified and confirmed by his present Majesty, entitled, *An* Act *for the paying and discharging the several Debts, and Sums of Money claimed as Debts of this Colony, to the several Persons therein named, and to make and enforce the Currency of Bills of Credit to the Value of* Twenty-seven Thousand Six Hundred and Eighty Pounds, *for that Purpose*; *also to make void all Claims and Demands made, or pretended to be due from this Colony, before the first Day of* June, *One Thousand Seven Hundred and Fourteen, and to prevent this Colony from being in Debt for the Future*; there were struck, issued and made current, Bills of Credit to the Value of *Twenty Seven Thousand Six Hundred and Eighty Pounds*, as aforesaid; which said Bills were gradually to be sunk and destroyed, as the Fund upon which they were so struck and issued, as aforesaid, should come in, and the Remainder thereof continue to be current until the Year One Thousand Seven Hundred and Thirty-four, as in and by the said Act, relation being thereunto had, may more at large appear. And whereas by Virtue of another Act of the General Assembly of this Colony, entitled, An *Act for paying and discharging several Debts due from this Colony, to the Persons therein named, and for raising and putting into the Hands of the Treasurer of this Colony, several Quantities of Plate, to be applied to the publick and necessary Uses of this Colony, and to make Bills of Credit to the Value of* Forty One Thousand Five Hundred and Seventeen Ounces and an Half of Plate, *for that Purpose*; pass'd in the fourth Year of his present Majesty's Reign, and also ratified and confirmed by his said Majesty; there were struck, issued and made current, Bills of Credit to the Value and Quantity of *Forty One Thousand Five Hundred and Seventeen Ounces and an Half of Plate*, above mentioned; which said Bills were likewise gradually to be sunk and destroyed, as the several Funds upon which they were so struck and issued, should come in, and the Residue thereof to continue and remain current in all Payments within this Colony, until the Year One Thousand Seven Hundred and Thirty Nine, as in and by the said Act, reference being thereunto had, may more at large appear. And whereas by Virtue of another Act of the General Assembly of this Colony, pass'd in the seventh Year of his Majesty's Reign, entitled, *An* Act *for a Supply to be granted to his Majesty, for supporting his Government in the Province of* New-York, *during the Time therein mentioned, and for repealing one Act of the General Assembly of this Province, entitled,* An *Act* for a Supply to be granted

10th *GEORGE* I. A. D. 1724.

granted to his Majeſty, for ſupporting his Government in the Province of *New-York*, from the firſt Day of *July*, which ſhall be in the Year of our Lord One Thouſand Seven Hundred and Twenty, until the firſt Day of *July*, One Thouſand Seven Hundred and Twenty-one; there were, upon the ſeveral Duties and Funds therein mentioned, ſtruck, iſſued, and made current, Bills of Credit to the Value and Quantity of *Five Thouſand Ounces of Plate*; which Bills were to continue and remain current in all Payments within this Colony, until the firſt Day of *July*, which will be in the Year of our Lord One Thouſand Seven Hundred and Twenty-ſix, as in and by the ſame Act, relation thereunto being had, may more at large appear. And notwithſtanding, that in Conſequence of the two firſt mentioned Acts, Bills of Credit to a conſiderable Value have annually been ſunk and deſtroyed, as the reſpective Funds enabled the Treaſury ſo to do; yet thoſe Funds falling ſhort of the yearly Sums they were computed to amount unto, at the Time of making thoſe Acts, a conſiderable Quantity of the ſaid Bills are like to remain current until the aforeſaid Years of One Thouſand Seven Hundred and Thirty-four, and One Thouſand Seven Hundred and Thirty-nine, and all thoſe ſtruck and iſſued by Virtue of the laſt mentioned Act, are hereby enacted to continue current until the firſt Day of *July*, One Thouſand Seven Hundred and Twenty-ſix. And whereas by the Length of Time for which the aforeſaid reſpective Bills of Credit have already paſſed current for, many of them are become ſo torn, ragged, ſhattered and paſted, eſpecially ſuch as are of the loweſt Value, partly by their having paſſed ſo often from Hand to Hand in the Markets, and otherwiſe, and partly by ſome Perſons want of Care to preſerve them in Pocket-Books, or Letter-Caſes, that of many of them, the real Value at which they are enacted to be current for, can ſcarcely be diſcovered; by which Means, Diſputes and Difficulties frequently ariſe, in paying and receiving the ſame; which Inconveniencies are like to increaſe before the reſpective Times above mentioned, are expired; and ſome of ſaid Bills being circumſtanced ſo as aforeſaid, may moreover tempt evil diſpoſed Perſons, to alter the ſame to a greater Value than they were originally ſtruck and iſſued for, to the great Hurt, Damage, and Inconveniency of his Majeſty's good Subjects inhabiting in this Colony: And it being conceived, that the only effectual Remedy to remove and prevent thoſe Difficulties, is by lodging a Quantity of new Bills of Credit in the Treaſury, in order to be exchanged for ſuch torn, ragged, ſhattered and paſted Bills, as aforeſaid;

I. **Be it therefore Enacted** *by his Excellency the Governor, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That Bills of Credit to the Value of *Three Thouſand Pounds*, be forthwith made and printed, for the Purpoſe aforeſaid; *that is to ſay*; Eight Hundred Bills of *Twelve Shillings* each; Eight Hundred Bills of *Eight Shillings* each; One Thouſand Bills of *Six Shillings* each; Two Thouſand Bills of *Four Shillings* each; Two Thouſand Bills of *Three Shillings and Six Pence* each; Two Thouſand Bills of *Three Shillings* each; One Thouſand Eight Hundred Bills of *Two Shillings and ſix Pence* each; Two Thouſand Bills of *Two Shillings* each; Three Thouſand Bills of *One Shilling and ſix Pence* each; And Four Thouſand Bills of *One Shilling* each; Upon which Bills ſhall be impreſſed, on the right Hand Side, the Arms of the City of *New-York*; and on the Top of each of them, betwixt the Cyphers or Flouriſhing, and the Body of the Bill, ſhall be printed in Words at length, and at the lower Part, on each Side thereof, in Figures, the Value they ſhall reſpectively go current for; and in the Cypher or Flouriſhing above, is to be left a Blank, in the Form of an Oval, large enough to contain the Date of the Year in Figures: And all the ſaid Bills are to be in the Form following, *to wit*.

The Number and Value of the Bills emitted.

THIS

10th GEORGE I. A.D. 1724.

Their Form.

THIS indented Bill, due from the Colony of New-York, *to the Poſſeſſor, ſhall paſs current in all Payments, for conformable to a Law made by the Governor, Council, and Aſſembly of the ſaid Colony. Dated the Twenty-ſecond Day of* July, *One Thouſand Seven Hundred and Twenty-four.*

The Signers Names.

WHICH Bills ſhall be numbred and ſigned by *David Provoſt*, *Johannes Janſen*, *Jacobus Kip*, *John Cruger*, and *Gerardus Beekman*, Eſquires, or any three of them; and in Caſe of the Death of any of them, by the major Part of the ſaid Perſons then alive.

The Treaſurer to exchange theſe Bills for thoſe ſhattered, torn, &c.

V. **And be it further Enacted** *by the ſame Authority*, That all the Reſidue of the Bills hereby enacted to be ſtruck, or ſuch Part thereof as may be requiſite or demanded, ſhall, by the Treaſurer, be given in exchange for ſuch torn, ragged and ſhattered Bills, iſſued by Virtue of the aforeſaid Acts, as may occaſion Diſputes or Difficulties in paying or receiving of them, to all ſuch Perſon or Perſons, as from Time to Time, ſhall bring the ſame to him for that Purpoſe: *Provided*, Such Bills are otherwiſe good, and *Bona Fide* ſtruck by Virtue of either of the three Acts herein before mentioned: And all ſuch Bills as ſhall be exchanged in Manner aforeſaid, ſhall, by the Treaſurer, not only be kept diſtinct from all other Bills, but alſo each Sort kept together, according to the reſpective Acts by Virtue of which they have been ſtruck and iſſued.

Directions for exchanging them.

VI. AND although the only End in ſtriking and iſſuing Bills by Virtue of this Act, is for preventing Difficulties to, and Diſputes among the good Inhabitants of this City; it is nevertheleſs, the true Intent and Deſire of the General Aſſembly, as well to prevent (as much as in them lies) that no Confuſion may be occaſioned by ſuch Relief, as to ſupport the Credit and good Reputation which all the Bills of this Colony have hitherto had; **Be it therefore further Enacted** *by the Authority aforeſaid*, That the Treaſurer ſhall, in all and every of the Bills (now enacted to be ſtruck) which he ſhall pay, retain or exchange in Manner aforeſaid, make the following Diſtinctions before he iſſue the ſame, in the blank Oval herein directed to be printed in the Cyphering or Flouriſhing Part thereof; *That is to ſay*; In all thoſe he pays to the Signers, and Printer, and retains for his Trouble, to put in Figures the Year 1724; in all thoſe that ſhall be exchanged for Bills made current by the firſt Act herein mentioned, to place in Figures the Year 1714; in all thoſe to be exchanged for Bills made current by the ſecond Act herein mentioned, to ſet down in Figures the Year 1717; and in all thoſe to be exchanged for Bills made current by the herein laſt mentioned Act, to write in Figures the Year 1720: And as by this Means it will appear what kind of Bills have been exchanged, ſo thoſe exchanged in Lieu thereof, are gradually to be cancelled and deſtroyed, in the ſame Courſe and Order as the original Bills would have been, if they had not been exchanged.

The Signers to meet at the Treaſury, and examine the torn Bills, &c.

VII. **And be it further Enacted** *by the ſame Authority*, That the Signers herein before named, ſhall, at the ſeveral Time and Times, by the three before mentioned Acts, or ſome or one of them, limited and appointed for ſinking and deſtroying the Bills thereby reſpectively made current, or at leaſt once every Year, meet at the Treaſury, and then and there examine to what Value torn, ſhattered and ragged Bills, have been exchanged in lieu of Bills ſtruck by Virtue of this Act: And the ſaid Signers, or the greater Number of them then alive, are to make Diſtinction which ſort of Bills have been ſo exchanged, and the Quantity and Value thereof; and accordingly to give unto the Treaſurer Certificates under their Hands, of the ſaid Quantity and Value, and to which of the ſaid three Acts the ſame belonged, and the Time at which ſuch Examination was made; and the Treaſurer is, at the ſame Time, to burn and deſtroy

10th GEORGE I. A. D. 1724.

the Bills ſo certified, in the Preſence of the ſaid Signers, or the major Part of them then alive: And all ſuch Certificates, ſhall be to the Treaſurer good and ſufficient Vouchers and Diſcharges for ſo much as ſhall therein be mentioned and expreſſed.

The Time the Bills ſhall be current, and the Credit of them enforced.

VIII. And be it Enacted *by the Authority aforeſaid*, That the Bills of Credit made current by this Act, ſhall be and continue as long current, as any of the Bills of Credit now current in this Province, by any Acts of the General Aſſembly thereof now in force, and ſhall be received in all Caſes whatſoever, by any Perſon within this Province, and be as effectually current as any other Bills of Credit made current within this Colony, by any Act of the General Aſſembly of this Province; and the Perſon refuſing to take them in Payment for any Sum due, or hereafter to become due, or for any Contract already made, or hereafter to be made, or for any Conſideration whatſoever, for any Effects or Services already delivered or performed, or hereafter to be delivered or performed, ſhall be liable, and is hereby made liable and ſubjected to all the Penalties and Forfeitures contained in any, or all the Acts of the General Aſſembly of this Colony, at any Time enacting and enforcing the Currency of Bills of Credit, as fully, to all Intents, Conſtructions and Purpoſes whatſoever, as if the Words of all or any the Acts beforeſaid, relating to the Bills of Credit, or enacting and enforcing the Currency of ſuch Bills of Credit in them mentioned, had been particularly expreſſed or tranſcribed, and hereby enacted; any Thing in this Act, or any other, to the Contrary hereof, in any wiſe notwithſtanding.

Counterfeiting them, or knowingly paſſing ſuch Bills, Felony without Benefit of Clergy.

IX. And be it Enacted *by the Authority aforeſaid*, That if any Perſon or Perſons, ſhall preſume to counterfeit any of the Bills of Credit made current by this, or any other Act of the General Aſſembly of this Province, or ſhall alter any of the ſaid Bills made current, as aforeſaid, ſo that they ſhall appear to be of greater Value than by any of the ſaid Acts, the ſame Bills ſo altered, were enacted, ſigned and numbred to paſs current for, or ſhall knowingly paſs any of the Bills aforeſaid, ſo counterfeited or altered: Every Perſon guilty of counterfeiting or altering the ſaid Bills, as aforeſaid, ſhall be guilty of Felony; and convicted of ſuch counterfeiting or altering, ſhall ſuffer Death accordingly, and not have the Benefit of Clergy; and every Perſon knowingly paſſing any ſuch counterfeit or altered Bill, and convicted thereof, ſhall alſo ſuffer the Pains of Death, without Benefit of Clergy.

CHAP. CCCCLI.

Expired 24th of *July*, 1727.

An ACT *to prevent Tenants of all kinds, from committing Waſte and Treſpaſſes on Lands in their Tenure or Poſſeſſion; and for puniſhing all ſuch other Perſons, as by Water or Land ſhall aid and abet therein; and for preventing divers other Enormities, exceeding hurtful to the growing Settlements and Plantations in the Counties of* Orange *and* Ulſter; *and for laying-out and maintaining a High Road within the ſame.* Paſs'd the 24th of July, 1724.

CHAP. CCCCLII.

An ACT *to prevent Boats and other Veſſels, and the Goods put on board of them, from being interrupted or moleſted whilſt their Navigation is confined within this Colony.* Paſs'd the 24th of July, 1724.

Preamble.

WHEREAS it has been repreſented to the General Aſſembly, that many Boats, and other Veſſels, or the Goods, Wares and Merchandizes put on board thereof by the Owners, and others, in order to tranſport the ſame from

from the City of *New-York*, to ſome other Part or Place within this Colony, have frequently been ſeized, troubled and moleſted, under Colour and Pretence that ſuch Boats, and other Veſſels, and the Goods, Wares and Merchandizes, loaded on board thereof, ſhould firſt have been entered at the Cuſtom-Houſe in *New-York*, notwithſtanding ſuch Veſſels and Goods belong to his Majeſty's good Subjects within this Province, and are not deſigned to be carried out of the ſame; whereby the ſaid Subjects have not only been delayed and obſtructed in their lawful Affairs, but put to great and unreaſonable Charge and Expence before ſuch Seizures were removed: To prevent which Hardſhips for the future, the General Aſſembly pray that it may be Enacted;

I. **And be it Enacted** *by his Excellency the Governor, Council and Aſſembly, and by the Authority thereof,* That after the Publication of this Act, no Perſon or Perſons whatſoever, either Owner or Owners, of any Boat or other Veſſel, or any Perſon or Perſons, that ſhall put any Goods or Merchandize aboard of ſuch Boat or Veſſel, in order to carry the ſame to any Place in this Government, ſhall be obliged to enter or clear ſuch Boat or Veſſel, or ſuch Goods therein laden, at the Cuſtom-Houſe, or pay any Fee or Reward, to any Perſon whatſoever, for the ſame; but may freely put aboard any Goods in any Boat, or other Veſſel, in order to be carried or tranſported to any Town, Manor, Precinct or Plantation within this Province, without any Reſtraint or Moleſtation whatſoever.

Goods put on board Veſſels, to be carried to any Place in this Government, not obliged to be entered in the Cuſtom-Houſe.

II. **And be it further Enacted** *by the ſame Authority* That if any Perſon or Perſons, under Colour of Power or Authority from the Officers of the Cuſtoms of the Port of *New-York*, or under any Colour or Pretence whatſoever, ſhall ſeize, trouble, moleſt or obſtruct, any ſuch Boats, or other Veſſels, or the Goods, Wares and Merchandizes, at any Time after the Publication of this Act, contrary to the true Intent and Meaning thereof; every ſuch Perſon or Perſons, ſo ſeizing, troubling, moleſting or obſtructing ſuch Boat or other Veſſel, or the Goods, Wares and Merchandizes to be put on board of them, with an Intent to tranſport the ſame to ſome other Parts within this Colony, or aſking, demanding, or receiving any Fee or Reward, from the Owner or Owners of ſuch Boats, Veſſels, or Goods; ſhall forfeit the Sum of *Twenty Pounds*, current Money of this Colony; which Forfeiture ſhall be to the Uſe of him or her who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record within this Province, ſo nevertheleſs as that ſuch Proſecution be had and made within three Months after the Offence or Offences are committed. *Provided always*, That no Perſon or Perſons, being Officers of his Majeſty's Cuſtoms, ſhall be ſued, proſecuted or moleſted, for making Search for any Goods prohibited, or for which his Majeſty's Dues and Cuſtoms have not been paid; or for ſeizing any Boat or other Veſſel, or any Goods therein laden, altho' the ſame belong, and were to be tranſported in Manner aforeſaid, if the ſame ſhould have been liable to a lawful Seizure by the Laws of the Kingdom of *Great-Britain*, or of this Province; any Thing therein to the contrary hereof in any wiſe notwithſtanding.

Penalty on Officers for obſtructing ſuch Tranſportation £.20.

Saving to the Officers of the King's Cuſtoms, the Liberty of ſearching prohibited Goods, &c.

CHAP. CCCCLIII.

An ACT *for fortifying the City of* Albany.

Expired the 1ſt of *October*, 1726.

Paſs'd the 24th of July, 1724.

CHAP.

10th *GEORGE* I. A. D. 1724.

CHAP. CCCCLIV.

An ACT *to enable the Mayor, Aldermen, and Commonalty of the City of* Albany, *to defray the publick and neceſſary Charges of the ſaid City.*

Paſs'd the 24th of July, 1724.

Preamble.

WHEREAS it is highly reaſonable, that the publick and neceſſary Charges of the City of *Albany*, be duly ſatisfied and defrayed;

Mayor and Aldermen to raiſe a Sum not exceeding £. 60.

I. **Be it therefore Enacted** *by his Excellency the Governor, Council, and General Aſſembly of this Colony, and it is hereby Enacted by the Authority of the ſame,* That it ſhall and may be lawful to and for the Mayor, Aldermen and Commonalty of the City of *Albany*, for the Time being, and they are hereby fully authoriſed and impowered, to order the aſſeſſing and levying, on the Eſtates real and perſonal, of all the Freeholders, Inhabitants and Sojourners of and in the ſaid City of *Albany*, ſuch Sum and Sums, not exceeding the Sum of *Sixty Pounds*, current Money of *New-York*, as they ſhall judge neceſſary for the defraying the publick and neceſſary Charges of the ſaid City.

Mayor and Aldermen to meet & direct the Aſſeſſors and Collectors.

Aſſeſſment to be returned into the Town-Clerk's Office.

And Money paid in to the County Treaſurer.

II. AND for the due and better aſſeſſing, levying, and collecting, the Sum of Money ſo aſſeſſed and levied, in Manner aforeſaid; **Be it Enacted** *by the Authority aforeſaid*, That the Mayor, Aldermen, and Commonalty of the ſaid City of *Albany*, for the Time being, are hereby directed and authoriſed, on or before the fifteenth Day of *Auguſt*, in this preſent Year, to aſſemble and meet together in the City-Hall of the ſaid City, and then and there to cauſe to come before them, the Aſſeſſors and Collectors of the ſaid City of *Albany*, for the aſſeſſing, collecting, and receiving of the publick Rates, for the defraying the publick Charges of the ſaid City, for the Time being; who are hereby appointed to be the Aſſeſſors and Collectors, for the aſſeſſing and collecting the Monies to be raiſed by Virtue of this Act, and then and there order and direct the ſaid Aſſeſſors, to make the Aſſeſſment of the ſaid Sum of Money ſo levied and raiſed, as aforeſaid, on all and every the reſpective Freeholders, Inhabitants and Sojourners of, and in the ſaid City, ſo that they return their ſaid Aſſeſſment, under their Hands, into the Town-Clerk's Office of the ſaid City, on or before the thirteenth Day of *Auguſt* then next enſuing; and then alſo order and direct the ſaid Collectors, to collect and receive the ſame, of and from the reſpective Freeholders, Inhabitants and Sojourners of, and in the ſaid City, according to the Proportion they ſhall be aſſeſſed and rated, ſo that they pay in the Monies ſo collected and received, unto the Treaſurer of the ſaid City, on or before the fifteenth Day of *September*, then next enſuing; to be afterwards diſpoſed of for the defraying of the publick and neceſſary Charges of the ſaid City, by Order of the ſaid Mayor, Aldermen, and Commonalty of the ſaid City, as they ſhall ſee reaſonable and neceſſary.

Form of the Aſſeſſors and Collectors Oath.

III. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Mayor and Aldermen of the ſaid City of *Albany*, have, and ſhall have, by Virtue of this Act, full Power and Authority, each of them by himſelf, to adminiſter to ſuch Aſſeſſor or Aſſeſſors appointed, or to be appointed for the Execution of this Act, an Oath, *That they ſhall well and truly execute the Office of an Aſſeſſor; and well and truly, equally, impartially, and in due Proportion, aſſeſs and rate the Eſtates, real and perſonal, of the Freeholders, Inhabitants and Sojourners of, and in the ſaid City of* Albany, *according to the beſt of their Skill and Knowledge; and therein ſhall ſpare no Perſon for Favour or Affection, or grieve any Perſon for Hatred or Ill-will.* And the ſaid Aſſeſſors are hereby required, to deliver a Copy of their Aſſeſſment, fairly written and ſubſcribed by them, into the Town-Clerk's Office of the ſaid City, on or before the ſaid thirteenth Day

Day of *August*; and the said Clerk is hereby directed and required, to cause the Assessment so delivered to him, to be fairly copied, and to be signed by the Mayor, and any Two, or more, of the Aldermen of the said City, and then forthwith to be delivered to the respective Collectors of the said City, in order to cause the collecting the Sum of Money aforesaid, to be paid in by the said Collectors, unto the Treasurer of the said City, on the fifteenth Day of *September* aforesaid.

IV. **And be it further Enacted** *by the Authority aforesaid*, That if any Person or Persons, elected, nominated, or chosen, or to be elected, nominated and chosen, Assessors or Collectors, by Virtue of this Act, shall deny, refuse, neglect, or delay, or unequally and partially assess the Freeholders, Inhabitants and Sojourners of the said City, or shall deny, neglect, refuse or delay, to collect any Sum or Sums of Money, in Form before mentioned assessed; that then it shall and may be lawful, for the Mayor and Aldermen of the said City of *Albany*, for the Time being, or any Two of them, and who by this Act are required and impowered to do the same, by Warrant under their Hands and Seals, to commit such Assessors or Collectors, so denying, refusing, neglecting or delaying, or unequally or partially assessing, or refusing to collect, as aforesaid, to the common Goal; there to remain, without Bail or Mainprize, until he or they shall make Fine and Ransom to his Majesty, for such his Contempt, as aforesaid: And upon such Commitment, the said Mayor, Aldermen, or the major Part of them, are hereby required and impowered, with all Speed, to appoint other Assessors or Collectors, in the Room and Stead of such so committed to Goal, as aforesaid; and such Assessors or Collectors, so appointed in Manner aforesaid, shall be, to all Intents and Purposes, the Assessors and Collectors, for the executing of this Act, in the Room and Stead of those committed, as aforesaid, and be liable to the same Regulations, Pains and Forfeitures, as the other Assessors and Collectors, by this Act, are liable unto.

Assessors or Collectors who neglect their Duty, to be committed to Goal.

V. **And be it further Enacted** *by the Authority aforesaid*, That if any Person or Persons, shall neglect or refuse to pay the several Rates and Assessments wherewith they shall from Time to Time be charged by this Act, for or in Respect of his and their Goods and Chattels, Lands or Tenements, upon demand of the Collector or Collectors, that are or shall be chosen and appointed to receive the same, or within ten Days after such Demand; that then it shall and may be lawful, to and for such Collector or Collectors, and they are hereby required, for Non-Payment thereof, by Warrant under the Hand of the Mayor and Aldermen of the said City, for the Time being, or the major Part of them, to distrain the Person or Persons so refusing or neglecting to pay, by his or their Goods or Chattels, or distrain in and upon the Messuages, Lands and Tenements so charged, and the Goods and Chattels then and there found; and the Distress so taken, to carry away, and the same to expose to Sale within the said City, for the Payment of the said Rate or Assessment; and the Overplus coming by the said Sale, if any be, over and above the Charges of taking and carrying away the said Distress, to be immediately returned to the Owner thereof.

Persons refusing to pay their Rate, to be distrained.

The Distress to be sold.

CHAP. CCCCLV.

An ACT *to prevent Damages by Swine in* Dutchess *County, and in the Manor of* Livingston; *and in that Precinct of the Manor of* Renslaerwyck, *called,* Claverack, *in the County of* Albany.

Expired the first *Tuesday* in *April*, 1727.

Pass'd the 24th of July, 1724.

10th *GEORGE* I. A. D. 1724.

Contiuued by Chap. 506.

CHAP. CCCCLVI.

An ACT *for laying-out and clearing publick Highways in the Precinct of* Schohare, *in the County of* Albany.

Paſs'd the 24th of July, 1724.

CHAP. CCCCLVII.

Private.

An ACT *for paying* Gerritt Van Horne, David Provooſt, Johannes Janſen, *and* Jacobus Kip, *Eſquires, for ſerving in General Aſſembly.*

Paſs'd the 24th of July, 1724.

CHAP. CCCCLVIII.

Obſolete.

An ACT *to enable the Juſtices of the Peace in* Queens *County, to finiſh and compleat the Goal and Court-Houſe already erected in the ſaid County.*

Paſs'd the 24th of July, 1724.

CHAP. CCCCLIX.

Continued by Chap. 471.

An ACT *for the further laying-out, regulating, and better clearing Highways in the County of* Suffolk.

Paſs'd the 24th of July 1724.

CHAP. CCCCLX.

An ACT *to oblige the Collectors and Treaſurer of* Richmond *County, effectually to collect and pay the annual Rate of the ſaid County.*

Paſs'd the 24th of July, 1724.

Preamble.

WHEREAS ſeveral of the reſpective Collectors within the County of *Richmond*, have often either neglected to collect the annual Rate laid and aſſeſſed for the publick neceſſary contingent Charges of the ſaid County, purſuant to an Act of the General Aſſembly, paſſed in the ſecond Year of her late Majeſty's Reign, entitled, *An* Act *for the better explaining, and more effectual putting in Execution, an Act of General Aſſembly made in the third Year of the late King* WILLIAM *and Queen* MARY, *entitled,* An *Act* for the defraying the publick and neceſſary Charge throughout this Province, and for maintaining the Poor, and preventing Vagabonds; or retained ſuch County Rates, or Part thereof, in their own Hands, whereby the good Ends and Purpoſes intended in and by the ſaid Act, are in a great Meaſure defeated, to the great Hurt and Damage of many of the good Inhabitants of the ſaid County, becauſe the only Relief provided in the ſaid Act, is for the aggrieved Perſon or Perſons, to proſecute the Offender or Offenders; which being attended with a great Charge, the aforeſaid Practices have too much prevailed in the ſaid County: For preventing of which for the future;

Collectors ſhall within four Months after the Aſſeſſments are delivered to them, pay the Sums they are required to collect, to the County Treaſurer,

I. Be it Enacted *by his Excellency the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That if any of the Collector or Collectors, that already are, or hereafter may be choſen Collector or Collectors, in the aforeſaid County of *Richmond*, ſhall neglect, delay or refuſe, to pay unto the Treaſurer of the ſaid County, the ſeveral and reſpective Sum or Sums of Money, which he or they are, or ſhall be required and impowered to collect within their reſpective Diſtricts or Precincts, for the ſaid County Rate, purſuant to Warrants which from Time to Time ſhall be iſſued by the Superviſors of the

10th *GEORGE* I. A. D. 1724.

the said County, for that Purpose, by the Space of four Months after the several Assessors shall have delivered the respective Assessments unto the said Collector or Collectors; that he, the said Collector or Collectors, so neglecting, delaying or refusing to pay the same to the said County Treasurer, within the Time above mentioned, shall forfeit the Sum of *Ten Pounds*, current Money of this Colony, for every such Offence; to be recovered by the said County Treasurer, in any of his Majesty's Courts in this Colony, wherein no Essoin, Protection or Wager of Law, or any more than one Imparlance shall be allowed; one Half of which Forfeitures shall be for the Use and Benefit of the said County, and the other Half to the Treasurer thereof, if he sue for and recover the same.

or forfeit £.10, to be recovered by the County Treasurer.

II. AND to the End the Rate of the said County may effectually come in annually; **Be it further Enacted** *by the Authority aforesaid*, That if the Treasurer of the said County for the Time being, shall at any Time or Times fail in prosecuting to Effect, any such Collector or Collectors, for their Offences, as aforesaid, by the Space of four Months after the Time herein before limited; such Treasurer shall forfeit the Sum of *Ten Pounds*, current Money of this Province, for every such Offence or Neglect; to be recovered by the Person or Persons who shall be delayed, wronged or injured by such Means, in any of his Majesty's Courts within this Province, wherein no Essoin, Protection, Wager of Law, or any more than one Imparlance shall be allowed, besides being liable to an Action of Trespass, grounded on the Case, to every such Person or Persons as shall be delayed, wronged or injured thereby; one Half of which Forfeiture to be for the Use and Benefit of the said County, and the other Half to the Person who shall sue for and recover the same. *Provided*, That this Act shall extend to the County of *Richmond* only, and that even in the same County, the before mentioned Act shall remain in full Force and Virtue, saving so much thereof as hereby is otherwise provided for; any Thing herein to the contrary hereof in any wise notwithstanding.

And if he shall not in four Months after, prosecute, he shall forfeit £.10.

This Act confined to *Richmond*.

CHAP. CCCCLXI.

An ACT *for naturalizing* Frans Vandenbergh, Hermanus Symonys, Johannes Glanderff, Peter Felink, Francis Clerembault, Jean Claudi, *and* Johan Philip Leuring Becker. Pass'd the 24th of July, 1724.

Private.

CHAP. CCCCLXII.

An ACT *to prohibit all Persons but* Susanna Parmyter, *Widow, and her Assigns, to make Lamp Black during the Space of ten Years.* Pass'd the 24th of July, 1724.

Private, & Expired 24th *July*, 1734.

12th *GEORGE* I. A. D. 1725.

CHAP. CCCCLXIII.

An ACT *appointing Commissioners to let to farm the Excise of strong Liquors in the Cities and Counties in this Colony.* Pass'd the 10th of November, 1725.

Continued by Chap. 501.

CHAP. CCCCLXIV.

An ACT *for continuing Bills of Credit struck and issued in the Year One Thousand Seven Hundred and Twenty, to the Value of* Five Thousand Ounces of Plate; *to be current until the first Day of* July, *which will be in the Year One Thousand Seven Hundred and Twenty-seven.* Pass'd the 10th of November, 1725.

See Chap. 396. Expired 1st of *July*, 1727. Continued by Chap. 470.

CHAP.

12th *GEORGE* I. A. D. 1725.

CHAP. CCCCLXV.

Repealed by the King, the 11th of *December*, 1729.

An ACT *to revive and continue the ſeveral Acts therein mentioned, relating to the prohibiting of ſelling Indian Goods to the* French, *and for promoting the Trade with the remote Nations of Indians, during the Time therein mentioned, and for the Recovery of ſuch Penalties as are directed by the ſaid Acts.*

Paſs'd the 10th of November, 1725.

CHAP. CCCCLXVI.

Private.

An ACT *for diſcharging a certain Recognizance entered into by* Goſen Van Schaick, *late of the City of* Albany, *deceaſed.*

Paſs'd the 10th of November, 1725.

12th *GEORGE* I. A. D. 1726.

CHAP. CCCCLXVII.

In Part *repealed*, in Part *continued*, &c. Chap. 516.

An ACT *granting to his Majeſty the Duties and Taxes therein mentioned, for ſupporting his Government in the Colony of* New-York, *from the firſt Day of* July, *One Thouſand Seven Hundred and Twenty-ſix, to the firſt Day of* July, *One Thouſand Seven Hundred and Twenty-nine.*

Paſs'd the 17th of June, 1726.

CHAP. CCCCLXVIII.

Obſolete.

An ACT *for diſcharging a Debt to the late Agents for this Colony at the Court of* Great-Britain, *for finiſhing and compleating the Buildings in his Majeſty's* Fort-George; *for borrowing certain Sums for theſe Purpoſes, out of the Funds therein mentioned, and for laying a Tax to make good ſuch Part thereof as ſtand appropriated to particular Uſes.*

Paſs'd the 17th of June, 1726.

CHAP. CCCCLXIX.

Repealed by the King, the 11th of *December*, 1729.

An ACT *to lay different Duties on the Goods therein mentioned, and for regulating the Indian Trade in the City and County of* Albany, *for the Term of two Years, and for moderating and aſcertaining the Fines incurred by former Acts, if paid within the Term limited in this Act.*

Paſs'd the 17th of June, 1726.

CHAP. CCCCLXX.

See Chap. 464. Expired the 1ſt of *July*, 1728. Continued by Chap. 509.

An ACT *for the further continuing the Currency of Bills of Credit ſtruck and iſſued in the Year One Thouſand Seven Hundred and Twenty, to the Value of* Five Thouſand Ounces of Plate, *until the firſt Day of* July, *One Thouſand Seven Hundred and Twenty-eight.*

Paſs'd the 17th of June, 1726.

CHAP. CCCCLXXI.

See Chap. 459. Continued by Chap. 536.

An ACT *to continue an Act, entitled,* An *Act* for the further laying-out, regulating and better clearing publick Highways in the County of *Suffolk*, for the Time therein mentioned.

Paſs'd the 17th of June, 1726.

CHAP.

12th *GEORGE* I. A. D. 1726.

CHAP. CCCCLXXII.

An ACT *for reviving an Act, entitled,* An *Act* for encouraging the Return of Neat Cattle and Sheep to their Owners.

Pass'd the 17th of June, 1726.

Continued by Chap. 596.

CHAP. CCCCLXXIII.

An ACT *for reviving an Act, entitled,* An *Act* to prevent small Stallions running at large, and to geld all Horses under the Size therein mentioned; and for continuing an Act, entitled, *An* Act *to prevent Tenants of all Kinds from committing Waste and Trespasses on Lands in their Tenure or Possession, and for punishing all such other Persons as by Water or Land shall aid or abet therein, and for preventing divers other Enormities exceeding hurtful to the growing Settlements and Plantations in the Counties of* Orange *and* Ulster, *and for laying out and maintaining a High Road within the same.*

Pass'd the 17th of June, 1726.

See Chap. 350. Expired the 1st *November*, 1733.

Note, *This is the Title in the Minutes of Council, and is so indorsed on this Act; but in the Body of the Act there is only a revival of the Act relating to* Stallions, *and nothing mentioned in it concerning the Act against* Wastes *and* Trespasses; *which is Chap.* 451, ante.

CHAP. CCCCLXXIV.

An ACT *for the further continuing an Act, entitled,* An *Act* for the Encouragement of Whaling.

Pass'd the 17th of June, 1726.

See Chap. 398. Continued by Chap. 595.

CHAP. CCCCLXXV.

An ACT *for reviving an Act, entitled,* An *Act* for regulating the Ferry between the City of *New-York* and the Island of *Nassau*.

Pass'd the 17th of June, 1726.

See Chap. 343. Continued and altered, Ch. 503.

CHAP. CCCCLXXVI.

An ACT *for naturalizing* Peter De Lage, John Zenger, Paulus De Soer, Nicholas Jaboien, Abraham Rodrigos Rivera, Abraham Carcas, Nicholas Van Taerlingh, Matthias Borrell, Johannes Roorbagh, Johannes Lashier, Louis Sancombell, Marrianne, *the Wife of* Daniel Bonticow, Pierre Elizee Gallaudet, John Deangaud, Michael Bertom, William Crolges, Jean Ballereau, *the Wife of* James Ballereau, *and* Garret Cornelisen.

Pass'd the 17th of June, 1726.

Private.

CHAP. CCCCLXXVIII.

An ACT *to prevent Damages done by Swine in the Neighbourhood of* Saraghtoga.

Pass'd the 17th of June, 1726.

Expired 17th of *June*, 1729.

CHAP. CCCCLXXIX.

An ACT *to provide able Pilots at* Sandy-Hook, *and for the Port of* New-York.

Pass'd the 17th of June, 1726.

Expired the 1st of *July*, 1731. Provided for by Chap. 565.

CHAP. CCCCLXXX.

An ACT *to enable the Justices of the Peace of the City and County of* Albany, *who reside within the Township of* Schenectady, *to build Stocks and Pounds, and for defraying some extraordinary Charges during the Time therein mentioned.*

Pass'd the 17th of June, 1726.

Expired 17th of *June*, 1731.

12th *GEORGE* I. A. D. 1726.

Obſolete.

CHAP. CCCCLXXXI.

An ACT *to enable the Mayor, Aldermen, and Commonalty of the City of* Albany, *to pay for the Materials and Workmanſhip of two Block-Houſes.*

Paſs'd the 17th of June, 1726.

CHAP. CCCCLXXXII.

Revived Ch. 579.

An ACT *to prevent the Setting on Fire, or burning the old Graſs on* Hampſtead *Plains.*

Paſs'd the 17th of June, 1726.

Preamble.

WHEREAS that large Tract of Ground in *Queens* County, upon *Naſſau* Iſland, belonging to the Townſhips of *Hampſtead* and *Oyſterbay*, commonly known and called by the Name of *Hampſtead-Plains*, hath been uſed and enjoyed by the Inhabitants of the ſaid Townſhip, Time out of Mind, as a Common of Paſture appendant to the ſaid Townſhips, and hath been found by long Experience, to be very uſeful, profitable and commodious to the ſaid Inhabitants, for that Purpoſe, but more eſpecially ſo in the Spring and Summer Seaſons of the Year; and whereas the old Graſs and Herbage that commonly remains uneat by the Cattle all the Winter upon the ſaid Plains, being dry and ſapleſs in the Beginning of the Spring, is uſually about the Middle of the Month of *March*, or the Beginning of *April*, yearly, ſet on Fire, and burnt, by ſome of the adjacent Inhabitants, to the End and Intent (as is commonly pretended) that the young Graſs then beginning to ſpring, may have the quicker Growth, but is likewiſe often found to be ſet on Fire by ſeveral of the Inhabitants, through Folly, and the Gratification of their own wanton Tempers and Humours; and foraſmuch as the ſetting on fire and burning the ſaid old Graſs and Herbage, in ſuch Time and Manner, is found by Experience to be very pernicious and hurtful to the ſaid Plains, by impoveriſhing the Soil, deſtroying the Roots of the Graſs, and very much diſpoſing the Ground, in Proceſs of Time, to Barrenneſs, the ſaid Plains being evidently obſerved, of late Years, to decline very much in its Feed and Paſturage, and not to yield any ſuch Quantities or Burthens of Graſs, as formerly it did, when the old Graſs was not burnt, as now it is annually; and whereas alſo the ſaid old Graſs on the Plains, doth often likewiſe get on fire by Means of the Woods and other Lands contiguous and adjoining thereto, being ſet on fire in the Spring Time, in the ſame Manner, and with the like Intents, Purpoſes and Views, as the Plains are ſet on fire, the ſaid Woodlands being commonly overſpread with dry Leaves, and other combuſtible Matter, at that Time of the Year: For the Prevention therefore of ſuch an ill and uſeleſs Practice for the future, and for the better Preſervation of both the Soil and Graſs of the ſaid Plains;

I. **Be it Enacted** *by his Excellency the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after the Publication of this Act, all, or any Perſon or Perſons, who ſhall willfully ſet on fire the dry Graſs, or Herbage ſtanding, growing, lying or being upon the ſaid *Hampſtead* Plains, or that ſhall willfully ſet on fire the fallen Leaves, or other combuſtible Matters, in the adjacent or contiguous Woods or other Lands, whereby the ſaid Plains ſhall ſo get on fire, and be burnt, as aforeſaid; ſuch Perſon or Perſons, ſhall forfeit the Sum of *Ten Pounds*, current Money of this Province of *New-York*, each, for every ſuch Offence; the one Half thereof to the Poor of the Pariſh where the Offence ſhall be committed, and the other Half to the Perſon that ſhall proſecute the Party or Parties offending in the Premiſſes, to effect; the Conviction to be by the Oath or Oaths of any one lawful

Perſons ſetting on fire the Graſs, &c. to forfeit *Ten Pounds.*

The Forfeitures, how diſpoſed of.

lawful Witness, or more, and the Prosecution to be in any Court of Record within this Province, by any proper legal Process, Bill, Plaint or Information, where no Essoyn, Protection or Wager of Law shall be allowed.

12th *GEORGE* I. A. D. 1726.

How Offenders to be prosecuted and convicted.

II. **And be it further Enacted** *by the Authority aforesaid*, That in Case of the Plains being set on fire, as aforesaid, or otherwise, or in Case of any Fire being in the adjacent Woods, or other Lands, as aforesaid, whereby the Plains may be in Danger of being burnt; then the Persons hereafter named, *to wit*. Capt. *John Tredwell*, Mr. *James Jackson*, Mr. *William Cornwell*, *Nathaniel Seaman*, *Benjamin Seaman*, jun. *Obadiah Valentine*, *Thomas Williams*, *Peter Titus*, *Henry Willis*, *John Prat*, *Nathaniel Townsend*, *Jeremiah Robins*, *Thomas Powell*, *Samuel Jackson*, *Thomas Seaman*, *John Mot*, *John Mot*, jun. *John Whiston*, *John Birdsal*, *John Tredwell*, jun. *James Burtis*, and *Caleb Carman*; or any one or more of them, dwelling or being near to the Part or Parts of the said Plains, or adjacent Woods so set on fire, is, and are hereby fully and absolutely authorised and impowered, upon View or Information of such Fire, to require and command all or any of the neighbouring and adjacent Inhabitants, to aid and assist them, the said Parties, or either or any of them, as shall happen to be near unto or discover the said Fire, as aforesaid, in extinguishing and putting out the same, with all possible Care and Diligence; and all or any Person or Persons, that shall (without a lawful Excuse or Impediment) refuse, neglect or delay to help and assist the said Parties hereby impowered, or either, or any of them so requiring or commanding, as aforesaid, to extinguish the said Fires, as aforesaid; shall forfeit the Sum of *Five Shillings* current Money of this Province, each, for every such Refusal, Delay or Neglect; to be recovered and disposed of as aforesaid: This Act to be in Force for the Space of five Years next after the Publication hereof, and no longer.

Persons authorised to command Assistance to extinguish the Fires.

Persons refusing to assist, to forfeit *Five Shillings*.

Continuance of this Act.

CHAP. CCCCLXXXIII.

An ACT *to continue an Act, entitled*, An *Act* for regulating Slaves, and to subject such Persons as trade with them, to a Presentment and Prosecution.
Pass'd the 17th of June 1726.

See Chap. 370.
Expired the 1st of *July*, 1733.

CHAP. CCCCLXXXIV.

An ACT *to intitle* Louis Hector Piet. De Langloiserie, *to the sole Fishery of Porpoises in the Province of* New-York, *during the Term of ten Years*.
Pass'd the 17th of June, 1726.

Private, and expired, the 17th of *June*, 1736.

CHAP. CCCCLXXXV.

An ACT *to impower and enable* Walter Dongan, *surviving Kinsman of* Thomas *late Earl of* Limerick, *and two Trustees with him therein nominated, to sell some Part of his Estate for the Payment of his Debts, and discharging some Incumbrances wherewith the same Estate now stands charged*.
Pass'd the 17th of June, 1726.

Private.

CHAP. CCCCLXXXVI.

An ACT *to vest in* Thomas Hicks, *of* Flushing, *in* Queens *County, Gent. in Fee-Simple, certain Lots of Land whereof he now stands seized, in the Township of* Flushing, *in the same County, in Fee-Tail, and to enable him, the said* Thomas, *to sell and dispose of the same*.
Pass'd the 17th of June, 1726.

Confirmed 5th of *August*, 1727.
Private.

CHAP.

12th *GEORGE* I. A. D. 1726.

Expired the 1st of *September*, 1728

CHAP. CCCCLXXXVII.

An ACT *for the more effectual Preſervation and Increaſe of Deer on the Iſland of* Naſſau.

Paſs'd the 17th of June, 1726.

13th *GEORGE* I. A. D. 1726.

The Twelfth ASSEMBLY.

FOURTH SESSIONS.

CHAP. CCCCLXXXVIII.

Continued by Chap. 535.

An ACT *to impower the Juſtices of the Peace of the County of* Albany, *living or dwelling in the Townſhip of* Schenectady, *in the ſaid County, to regulate the Streets and Highways, and to prevent Accidents by Fire in the ſaid Town.*

Paſs'd the 11th of November, 1726.

Preamble.

WHEREAS for Want of a due Regulation of the Streets and Highways within the Town of *Schenectady*, in the County of *Albany*, many of the Inhabitants there, have, and do take the Liberty to lay in the publick Streets and Highways of the ſaid Town, great Quantities of Fire-Wood, Timber, Lime, Stones, Shavings, Straw, Dung, and other Things, whereby the Paſſage through the ſame is made difficult, uneaſy, and nauſeous; and by Reaſon of the many Indians frequenting the ſaid Town, and who very often in the Night carry Fire through the ſame, whereby the ſaid Town is expoſed to many Accidents: For the Preventing whereof;

Juſtices living at *Schenectady*, to direct, that the Streets of the Town be cleaned.

I. **Be it Enacted** *by his Excellency the Governor, and Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the Juſtices of the Peace of the County of *Albany*, living and dwelling within the Townſhip of *Schenectady*, or the major Part of them, are hereby directed and impowered, from and after the fifteenth Day of *November* next enſuing, within a reaſonable Time, not exceeding fourteen Days, to order and direct all and every the Inhabitants of the ſaid Town, to clear and clean the ſaid publick Streets and Highways, every one of them before his and their reſpective Lots of Ground and Dwelling-Places, of all Fire-wood, Timber, Lime, Stones, Shavings, Straw, Dung, and other Things whatſoever, and to fill up all Holes and miery Places within the ſame; and if any Perſon or Perſons, Inhabitants of the ſaid Town, ſhall refuſe, neglect, or delay, to yield Obedience to the Orders and Directions of the ſaid Juſtices in that Behalf, to be provided; every ſuch Perſon and Perſons, ſhall forfeit the Sum of *Six Shillings*, current Money of *New-York*, for every Day's Diſobedience, Refuſal, Neglect, or Delay; to be recovered before any of his Majeſty's Juſtices of the Peace aforeſaid; to be applied to and for the defraying the neceſſary Charges of the ſaid Townſhip: And for preventing the like ill Practices for the Time to come, the ſaid Juſtices are hereby impowered and directed, yearly, and once in every Year, to make ſuch prudential Rules and Orders for the better regulating the Streets and Highways in the ſaid Town, and for the keeping of them neat, clean, and unincumbred, as unto them in their Diſcretion, ſhall ſeem meet; with full Power and Authority to impoſe a reaſonable Fine on the Offenders and Breakers of ſaid Orders, not exceeding the ſaid Sum of *Six Shillings*, for every Offence; to be recovered and applied in Manner aforeſaid; any Law, Uſage, or Cuſtom to the contrary hereof in any wiſe notwithſtanding.

And if any refuſe Obedience, for every Day they ſhall forfeit 6*s*.

Juſtices annually to make Orders for regulating the Streets;

And to puniſh by Fines ſuch as break them.

II. AND

13th *GEORGE* I. A. D. 1726.

II. AND for the more effectual preventing of Accidents by Fire; **It is hereby Enacted** *by the Authority aforesaid*, That the Inhabitants and Freeholders of the said Town of *Schenectady*, be, and are hereby impowered and directed, that they do annually, yearly, and every Year hereafter, assemble and meet together, on the first *Tuesday* of *April*, in every Year, in such convenient Place within the said Town, as unto the Justices of the Peace living in the said Township, shall seem meet; and then and there, by Majority of Voices, elect and choose two sufficient, able and discreet Persons to be Overseers of the Chimnies and Ovens of the said Town, for the Year ensuing: And the said Persons, so chosen, are hereby authorised and directed, once in every Month, or oftner, if they shall see convenient, to enter the Houses of the Inhabitants of the said Town, and then and there examine and view, into the respective Chimnies and Fire-places of the same; and if they find that the same are not kept clear of Soot, to order and direct the Person or Persons dwelling in the same, to cause them to be forthwith cleaned; and if any Person or Persons shall deny, refuse, neglect or delay, then forthwith to clean the same, every such Person and Persons shall respectively forfeit the Sum of *Three Shillings* for every Offence; to be recovered and applied for the Use and Benefit of the said Overseers. AND the said Persons so chosen, as aforesaid, are hereby further authorised and directed to take an exact View of all the Ovens in the said Town, and order all and every Person or Persons there, having their Ovens too near their Barns or Dwelling-Houses, to cause them to be removed to some more convenient Place; and if any Person or Persons shall refuse, deny, neglect or delay to remove their Ovens in Manner aforesaid, he or they shall forfeit, for every such Offence, the Sum of *Six Shillings*, to be recovered and applied in Manner aforesaid. This Act to be in Force for the Space of two Years, and from thence to the next Session of Assembly; and no longer.

Justices to meet annually for Election of Overseers of the Chimnies and Ovens,

Who are authorised every Month to examine them, and make proper Orders concerning them, which shall be obeyed under a Penalty of 3 *s.*

Ovens that are too near Barns & Houses, to be removed,

Or the Offender to forfeit 6 *s.*

Limitation of this Act.

CHAP. CCCCLXXXIX.

An ACT *for explaining an Act of the General Assembly of this Province, made in the seventh Year of his Majesty's Reign, entitled*, An Act for regulating Fences in the several Cities and Counties within this Province of *New-York*, and for making the same more beneficial to the Townships of *Schenectady*, in the County of *Albany*.

Pass'd the 11th of November, 1726.

Expired with Chap. 414. *Provided for by* Chap. 887.

CHAP. CCCCXC.

An ACT *for the easier Partition of Lands held in Common, and for promoting the Settling and Improvement thereof, and for confirming Divisions in the settled Townships in this Colony.*

Pass'd the 11th of November, 1726.

Left probationary. Repealed by K. *George* II, 15th of *February*, 1728.

CHAP. CCCCXCI.

An ACT *to encourage the destroying of Foxes and Wild-Cats in the County of* Queens *County, within this Province.*

Pass'd the 11th of November, 1726.

Expir'd 11th *November*, 1729.

13th *GEORGE* I. A. D. 1726.

CHAP. CCCCXCII.

An ACT *for ſtriking Bills of Credit to the Value of* Three Thouſand Pounds, *and putting them into the Treaſury, to be exchanged for ſhatter'd, torn, and defac'd Bills, ſtruck and iſſued by Virtue of the ſeveral Acts therein mentioned.* Paſs'd the 11th of November, 1726.

See Chap. 450. *Further Proviſion made for exchanging torn Bills,* Ch. 551.

Preamble.

WHEREAS by an Act of the General Aſſembly, entitled, *An* Act *for making Bills of Credit, and putting the ſame into the Treaſurer's Hand, for exchanging therewith ſuch Bills of Credit of this Province as are torn and defaced,* paſſed in the tenth Year of his Majeſty's Reign, there were ſtruck and made current in this Colony, Bills of Credit to the Value of *Three Thouſand Pounds,* and placed into the Treaſury, to be exchanged for ſuch of the Bills of Credit current in this Colony, (ſtruck and iſſued by Virtue of the three ſeveral Acts of General Aſſembly, whereof the Titles are particularly mentioned and expreſſed in the aforeſaid Act) as were ſo ſhattered, torn and defaced, that the real Value for which the ſame were originally ſtruck, was difficult to be known, as in and by the ſame Act, (Reference being thereunto had) may more fully and at large appear. And whereas the Bills of Credit mentioned in the aforeſaid Act, to be ſtruck and iſſued in the ſeventh Year of his Majeſty's Reign, to the Value of *Five Thouſand Ounces of Plate,* have ſince, by another Act of the General Aſſembly, paſſed in the Twelfth Year of his Majeſty's Reign, been continued to be current until the firſt Day of *July,* which will be in the Year One Thouſand Seven Hundred and Twenty-eight. And whereas the Bills of Credit to the Value of *Three Thouſand Pounds,* ſo ſtruck as aforeſaid, have long ſince been exchanged, according to the true Intent and Meaning of the ſaid Act; and that nevertheleſs not only other of the Bills of Credit ſtruck and iſſued by Virtue of the aforeſaid three Acts, are become ſo ſhattered, torn and defaced, that their real Value can ſcarcely be diſtinguiſhed, but likewiſe thoſe ſtruck and iſſued by Virtue of the firſt mentioned Act; whereby conſtant and frequent Diſputes ariſe among the good Inhabitants of this Colony, in receiving and paying the ſame: And it being conceived, that the only effectual Remedy to remove and prevent thoſe Difficulties, is, by ſtriking a Quantity of other new Bills of Credit, and lodging the ſame in the Treaſury, in order to be exchanged for ſuch torn, ſhattered and ragged Bills of Credit, as aforeſaid; and the Perſons herein after appointed and named to ſign ſuch new Bills, having offered to ſign the ſame *gratis,* whereby the Publick will be at no other Charge and Expence than the printing and exchanging of them, and the Eaſe, Conveniency and Accommodation which will reſult from ſuch new Bills to the ſaid Inhabitants, by preventing the many Difficulties and Diſputes which too frequently happen amongſt them, very much out-weighing ſuch Charge and Expence as aforeſaid:

Bills to be printed.

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That new Bills of Credit to the Value of *Three Thouſand Pounds,* be forthwith printed and ſigned, to and for the Purpoſe aforeſaid, *that is to ſay;* Eight Hundred Bills of *Twelve Shillings* each; Eight Hundred Bills of *Eight Shillings* each; One Thouſand Bills of *Six Shillings* each; Two Thouſand Bills of *Four Shillings* each; Two Thouſand Bills of *Three Shillings and Six-pence* each; Two Thouſand Bills of *Three Shillings* each; Eighteen Hundred Bills of *Two Shillings and Six-pence* each; Two Thouſand Bills of *Two Shillings* each; Three Thouſand Bills of *One Shilling and Six-pence* each; Sixteen Hundred Bills of *One Shilling and Three-pence* each; and, Two Thouſand Bills of *One Shilling* each. Upon which Bills ſhall be impreſſed, on the Right-Hand Side, the Arms of the City of *New-York,*

New-York, and on the Top of each of them, betwixt the Cypher or Flouriſhing, and the Body of the Bills, ſhall be printed in Words at length, and at the lower Part, on each Side thereof, in Figures, the Value they ſhall reſpectively go current for; and in the Cypher or Flouriſhing above, is to be left a Blank in the Form of an Oval, large enough to contain the Date of the Year in Figures: And all the ſaid Bills are to be in the Form following. *to wit.*

The Impreſſion of the Bills.

THIS Bill ſhall paſs current in all Payments for ------- purſuant to a Law of the Colony of New-York. November *Sixteenth, One Thouſand ſeven Hundred and Twenty-ſix.*

Form of the Bills.

WHICH Bills ſhall be numbered and ſigned by *Stephen De Lancey*, Major *Frederick Philipſe*, Capt. *Anthony Rutgers*, and *Robert Livingſton*, jun. Eſq; or any Three of them; and in Caſe of the Death of any of them, by the major Part of the ſaid Perſons then alive.

II. **And be it Enacted** *by the Authority aforeſaid*, That the Stamps of the Arms aforeſaid, now depoſited in the Hands of the Treaſurer, ſhall, by him be delivered to *William Bradford* (being hereby appointed to print all the ſaid Bills) who is thereupon to give a Receipt to the Treaſurer, for the ſaid Stamps, with Promiſe for his Re-delivery of the ſame, as ſoon as all the ſaid Bills ſhall be printed; which ſaid Stamps, upon ſuch Re-delivery, are to remain in the Treaſury, ſealed up by the Signers, and not to be made uſe of, unleſs by Virtue of an Act or Acts of the General Aſſembly for that Purpoſe.

The Stamps, how to be delivered to the Printer.

III. **Be it Enacted** *by the ſame Authority*, That as ſoon as all the ſaid Bills are ſo printed, as aforeſaid, the above-named *William Bradford* ſhall deliver all and every one of them, unto the Perſons herein nominated and appointed to ſign the ſame, or to the major Part of them, and at the ſame Time take an Oath upon the Holy Evangeliſts, before any Alderman of the City of *New-York*, *That the Bills then delivered unto them, are all and every of the Bills printed by Virtue of this Act, by him, or by his Privity, Procurement, or Direction, and that he doth not, directly or indirectly, know or believe that any more have been printed by him or any other Perſon or Perſons whatſoever.*

The Printer's Oath.

IV. **Be it likewiſe Enacted** *by the Authority aforeſaid*, That when the ſaid Bills ſhall, in Manner before mentioned, be delivered to the Signers herein before-named, they, or at leaſt any Three of them, are to number and ſign the ſame, and then deliver unto *Abraham De Peyſter*, junior, Treaſurer of this Colony, or the Treaſurer for the Time being, the exact Quantity hereby enacted to be ſtruck, being firſt numbered and ſigned, as aforeſaid. And the ſaid Signers are, at the ſame Time, to take an Oath on the Holy Evangeliſts, *That the Bills then delivered, in Manner aforeſaid, are all the Bills ſigned by them, by Virtue of this Act, and that they ſhall and will not ſign any more, unleſs thereunto impowered by Act or Acts of the General Aſſembly.* And if there ſhould happen to be any more Bills than the Value of *Three Thouſand Pounds*, herein before-mentioned, all ſuch ſupernumerary Bills, whether ſigned or unſigned, are immediately to be burnt and deſtroyed, in the Preſence of the Treaſurer, by the Signers aforeſaid.

The Signers Oath.

V. AND whereas it may be reaſonably concluded, that of the Bills of Credit made current by the ſeveral Acts herein before mentioned, or referred to, a conſiderable Quantity has already been loſt, either by Accident or otherwiſe, and that ſtill a farther Quantity will be loſt before the Expiration of the Time and Times appointed by thoſe Acts for the total cancelling and deſtroying of them reſpectively, and the Advantage accruing by ſuch Loſs redounding ſolely to

13th *GEORGE* I. A. D. 1726.

The Charge arising on ſtriking the Bills, to be paid in the ſame Bills.

to the Benefit or this Colony; **Be it Enacted** *by the Authority aforeſaid*, That all the whole Charge which ſhall ariſe upon the Bills of Credit hereby enacted to be ſtruck, ſhall be paid and diſcharged in the ſame Bills of Credit, and no other; *that is to ſay*; To *William Bradford*, for printing the Number of Nineteen Thouſand Bills, and furniſhing Pen, Ink and Paper for ſigning the ſame, the Value of *Twenty Pounds*; whoſe Receipt ſhall be to the Treaſurer a good Voucher and Diſcharge for ſo much as is therein mentioned and expreſſed, not exceeding the ſaid Sum of *Twenty Pounds*; and to be retained in the Hands of the ſaid Treaſurer, for his Trouble in receiving the ſaid Bills, for making the Payment above mentioned, for exchanging ſuch torn, ragged and ſhattered Bills, as are herein before mentioned, and for cancelling the ſame, and keeping Accounts thereof, after the Rate of *Nine Pence* on every Pound Value he ſhall ſo as aforeſaid pay, retain or exchange, and of no other Part thereof.

Printer's and Treaſurer's Reward.

Deficiency, how to be made good.

VI. **But be it nevertheleſs further Enacted**, That if ſuch Bills as are preſumed have already, or will hereafter be loſt, as aforeſaid, ſhould happen to fall ſhort of the Charge and Salary above mentioned, the Deficiency thereof ſhall be made good either out of any unappropriated Money which ſhall then be in the Treaſury, or by ſome other Proviſion to be made by the General Aſſembly for that Purpoſe.

Reſidue of the Bills to be exchanged for torn Bills.

VII. **And be it further Enacted** *by the Authority aforeſaid*, That all the Reſidue of the Bills hereby enacted to be ſtruck, or ſuch Part thereof as may be requiſite or demanded, ſhall by the Treaſurer be given in exchange for ſuch torn, ragged and ſhattered Bills, iſſued by Virtue of the aforeſaid Acts, as may occaſion Diſputes or Difficulties in paying or receiving of them, to all ſuch Perſon or Perſons as from Time to Time ſhall bring the ſame to him for that Purpoſe: *Provided*, Such Bills are otherwiſe good, and *bona fide*, ſtruck by Virtue of either the four Acts herein before mentioned, or referred to; and all ſuch Bills as ſhall be exchanged in Manner aforeſaid, ſhall, by the Treaſurer, not only be kept diſtinct from all other Bills, but alſo each ſort kept together, according to the reſpective Acts by Virtue of which they have been ſtruck and iſſued, ſo far as the ſame ſhall be diſtinguiſhable.

Proviſo.

VIII. And altho' the only End in ſtriking and iſſuing Bills by Virtue of this Act, is for preventing Difficulties to, and Diſputes among the good Inhabitants of this Colony, it is nevertheleſs the true Intent and Deſire of the General Aſſembly, as well to prevent (as much as in them lies) that no Confuſion may be occaſioned by ſuch Relief, as to ſupport the Credit and good Reputation which all the Bills of this Colony have hitherto had; **Be it therefore further Enacted** *by the Authority aforeſaid*, That the Treaſurer ſhall in all and every of the Bills (now enacted to be ſtruck) which he ſhall pay, retain or exchange in Manner as aforeſaid, make the following Diſtinctions, before he iſſue the ſame, in the Blank Oval herein directed to be printed in the cyphering or flouriſhing Part thereof, *that is to ſay:* In all thoſe he pays to the Printer, and retains for his Trouble, to put in Figures, the Year 1726; in all thoſe that ſhall be exchanged for Bills made current by the Act herein before referred to, paſs'd in the thirteenth Year of her late Majeſty's Reign, to ſet down in Figures, the Year 1714; in all thoſe to be exchanged for Bills made current by the Act herein alſo referred to, paſs'd in the fourth Year of his Majeſty's Reign, to ſet down in Figures, the Year 1717; in all thoſe to be exchanged for Bills made current by the Act herein likewiſe referred to, paſs'd in the ſeventh Year of his Majeſty's Reign, to write in Figures, the Year 1720; and in all thoſe to be exchanged for Bills made current by the Act herein firſt mentioned, paſs'd in the tenth Year of his Majeſty's Reign, to place in Figures, the Year 1724: And

Diſtinctions to be made by the Treaſurer in the Bills.

And as by this Means it will appear what Kind of Bills have been exchanged, ſo thoſe exchanged in Lieu thereof, are gradually to be cancelled and deſtroyed, in the ſame Courſe and Order as the original Bills would have been, if they had not been exchanged.

No former Bills of above 20 *ſ.* to be exchanged.

IX. **And be it further Enacted** *by the Authority aforeſaid*, That the Treaſurer ſhall not be obliged to exchange any of the Bills hereby made current, for any Bill or Bills of Credit, ſtruck and iſſued by Virtue of any former Act or Acts of the General Aſſembly, whereof the Value ſhall exceed *Twenty Shillings*; any Thing herein contained to the Contrary notwithſtanding.

The Office of the Signers.

X. **And be it further Enacted** *by the Authority aforeſaid*, That the Signers herein before-named, ſhall, at the reſpective Time and Times, by the ſeveral Acts herein before referred to, reſpectively limited and appointed for ſinking and deſtroying the Bills thereby made current, or at leaſt once every Year, meet at the Treaſury, and then and there examine to what Value torn, ſhattered and ragged Bills have been exchanged in Lieu of Bills ſtruck by Virtue of this Act; and the ſaid Signers, or the greater Number of them, then alive, are to make Diſtinctions, which Sort of Bills have been ſo exchanged, and the Quantity and Value thereof, and accordingly to give unto the ſaid Treaſurer, Certificates under their Hands, of the ſaid Quantity or Value, and to which of the ſaid Acts the ſame belonged, ſo far as the ſame ſhall be diſtinguiſhable, and the Time at which ſuch Examination was made; and the Treaſurer is, at the ſame Time, to burn and deſtroy the Bills ſo certified, in the Preſence of the ſaid Signers, or the major Part of them then alive or preſent; and all ſuch Certificates ſhall be to the Treaſurer, good and ſufficient Vouchers and Diſcharges, for ſo much as ſhall therein be mentioned or expreſſed.

How long theſe Bills ſhall paſs current.

XI. **And be it Enacted** *by the Authority aforeſaid*, That the Bills of Credit made current by Virtue of this Act, ſhall be and continue as long current as any of the Bills of Credit, now current in this Province, by any Acts of the General Aſſembly thereof, now in Force, and ſhall be received in all Caſes whatſoever, by any Perſons within this Province, and be as effectually current as any other Bills of Credit, made current in this Colony, by any Act of the General Aſſembly of this Province; and the Perſons refuſing the ſame Bills for any Sum due, or hereafter to become due, for any Cauſe whatſoever, as alſo all Perſons counterfeiting the ſaid Bills, ſhall incur the ſame Forfeitures, Pains and Penalties as are contained in the Act, paſſed in the tenth Year of his Majeſty's Reign, entitled, *An* Act *for making Bills of Credit, and putting the ſame into the Treaſurer's Hands, for exchanging therewith ſuch Bills of Credit of this Province, as are torn and defaced*, in as full, ample, and effective a Manner, to all Intents, Conſtructions and Purpoſes whatſoever, as if the ſeveral Clauſes relating thereto, had been particularly and at large inſerted in the Body of this Act; any Thing herein contained to the Contrary notwithſtanding.

Bills ſuſpected by the Treaſurer, to be ſtopt, and delivered to the Court of Quarter-Seſſions.

XII. **And be it further Enacted** *by the Authority aforeſaid*, That if any Bill or Bills of Credit ſhall be brought to the Treaſurer of this Colony for exchanging, as in this Act is directed, or in Payment of Duties or Taxes due by Virtue of any other Act or Acts of the General Aſſembly of this Colony, which he ſhall have good Reaſon to ſuſpect are counterfeited or altered, to appear of a higher Value than they were originally ſtruck for; it ſhall and may be lawful for the ſaid Treaſurer, to ſtop and detain ſuch ſuſpected Bills, and to endorſe thereon the Name of the Perſon tendring the ſame, and the Time when; and all ſuch Bills he ſhall ſo ſtop or detain, ſhall, by him be delivered from Time to Time, to the Court or Courts of the Quarter-Seſſions, to be held for the City and County of *New-York*; who thereupon are either to deſtroy the ſame in the ſaid

13th *GEORGE* I. A. D. 1726.

Court, or to proceed thereon, as in their Diſcretion ſhall ſeem meet: And it ſhall and may be lawful to and for the Mayor, Recorder and Aldermen of the City of *New-York*, to ſtop and detain ſuſpected Bills, and to do in that Behalf what is hereby mentioned to be done by the ſaid Treaſurer. And it ſhall and may alſo be lawful for all Juſtices of the Peace, within their reſpective Counties in this Colony, to ſtop and detain ſuch ſuſpected Bills, as aforeſaid, and (making the above-mentioned Endorſement thereon) deliver them, from Time to Time, at the next General Seſſions of the Peace, to be held for ſuch County, who are thereupon either to deſtroy the ſame in ſuch Court or Courts, or to proceed thereon, as in their Diſcretion ſhall ſeem meet; and the ſaid Court or Courts are hereby required, from Time to Time, reſpectively, to certify to the ſaid Treaſurer, the Number and Value of the Bills which they ſhall deſtroy, in Manner aforeſaid. *Provided nevertheleſs*, That nothing herein contained ſhall alter or leſſen the Puniſhments inflicted by any former Act or Acts of the General Aſſembly of this Colony, on Perſons counterfeiting the Bills of Credit thereby made current in the ſaid Colony.

Juſtices to ſtop ſuſpected Bills.

CHAP. CCCCXCIII.

See Chap. 367. Expired the 1ſt of *July*, 1733. Provided for by Chap. 720.

An ACT *for reviving an Act, entitled*, An *Act* for regulating and returning able and ſufficient Jurors in Trials at Law.

Paſs'd the 11th of November, 1726.

CHAP. CCCCXCIV.

Continued by Chap. 512.

An ACT *for deſtroying of Wolves in the County of* Albany, Dutcheſs *County, and* Orange *County.*

Paſs'd the 11th of November, 1726.

CHAP. CCCCXCV.

Expired the 6th of *July*, 1730.

An ACT *for laying out and clearing of the Highways, from the Eaſt Side of* Kaghnawage *Creek, where it falls into the* Mohawk's *River, ſo far as the Chriſtian Settlements at preſent do extend, and for breaking up the Road in the Winter Time, from* Schohare *to a Place called* Verbergh.

Paſs'd the 11th of November, 1726.

CHAP. CCCCXCVI.

Expired 11th *November*, 1731.

An ACT *to prevent Deſertion from his Majeſty's Forces in the Province of* New-York.

Paſs'd the 11th of November, 1726.

CHAP. CCCCXCVII.

Repealed by the King, the 11th of *December*, 1729.

An ACT *for explaining and enforcing an Act, entitled*, An *Act* to lay different Duties on the Goods therein mentioned, and for regulating the Indian Trade in the City and County of *Albany* for the Term of two Years, and for moderating and aſcertaining the Fines incurred by former Acts, if paid within the Time limited in this Act.

Paſs'd the 11th of November, 1726.

CHAP.

CHAP. CCCCXCVIII.

13th *GEORGE* I. A. D. 1726.

An ACT *to appoint an Agent for the Colony of* New-York, *at the Court of* Great-Britain, *for the Time therein mentioned.*

Pass'd the 11th of November, 1726.

Expired the 1st *January*, 1728.

CHAP. CCCCXCIX.

An ACT *for regulating and securing the Indian Trade to the Westward of* Albany, *and for defraying the Charge thereof.*

Pass'd the 11th of November, 1726.

Repealed by the King, the 11th of *December*, 1729.

The Thirteenth ASSEMBLY.

FIRST SESSIONS.

1st *GEORGE* II. A. D. 1727.

CHAP. D.

An ACT *for defraying the Cost and contingent Charges of the Trading-House erected at* Oswego, *and the maintaining it during the Time therein mentioned; for applying several Funds, and borrowing a certain Sum out of the Excise for that Purpose; for the effectual Recovery of former Fines and Forfeitures; for continuing the different Duties on Indian Goods during the Time therein mentioned, and for making good the Money so to be borrowed of the Excise.*

Pass'd the 25th of November, 1727.

Repealed by the King, the 11th of *December*, 1729.

CHAP. DI.

An ACT *for continuing an Act, entitled,* An *Act* to let to farm the Excise of strong Liquors in the Cities and Counties in this Colony, for changing some Commissioners, and for recovering the Arrears of the Excise.

Pass'd the 25th of November, 1727.

See Chap. 463. Expired the 1st *November*, 1728.

CHAP. DII.

An ACT *for preventing Prosecutions by Information.*

Pass'd the 25th of November, 1727.

Repealed by the King, the 20th of *April*, 1729.

CHAP. DIII.

An ACT *for continuing an Act of General Assembly of this Colony, entitled,* An *Act* for reviving an Act, entitled, *An* Act *for regulating the Ferry between the City of* New-York, *and the Island of* Nassau, *and for moderating some Rates of the former Ferriage.* Pass'd the 25th of November, 1727.

See Chap. 475. Expired 12th *June*, 1733. Provided for by Chap. 593.

CHAP. DIV.

An ACT *to enable the Justices of the Peace in the County of* Suffolk, *to build a County House and Prison.*

Pass'd the 25th of November, 1727.

Obsolete.

CHAP. DV.

An ACT *to repair the County House, and to amend and enlarge the Goal or Prison in the County of* Orange.

Pass'd the 25th of November, 1727.

Obsolete.

CHAP.

1st *GEORGE* II. A. D. 1727.

CHAP. DVI.

See Chap. 456. Expired the 1st *November*, 1730.

An ACT *for reviving an Act, entitled,* An *Act* for laying out and clearing publick Highways in the Precinct of *Schohare*, in the County of *Albany*, and for exchanging ſome of the Commiſſioners.

Paſs'd the 25th of November, 1727.

CHAP. DVII.

See Chap. 391.

An ACT *to repeal an Act of the General Aſſembly, entitled,* An *Act* prohibiting all Perſons but *Robert Lettis Hooper*, and his Aſſigns, to refine Sugar during the Time therein mentioned. Paſs'd the 25th of November, 1727.

CHAP. DVIII.

Private.

An ACT *for naturalizing* James Faviere, *and* Charlotte, *his Wife*, Heſter Beſley, *the Wife of* Thauvet Beſley, John Sybrandt, Suſanna Mercier, *Widow*, Daniel Hunes De Coſta, John George Puſchart, *and* Jacob Bomper.

Paſs'd the 25th of November, 1727.

The Fourteenth ASSEMBLY.

FIRST SESSIONS.

2d *GEORGE* II. A. D. 1728.

JOHN MONTGOMERIE, Eſq; Governor.

CHAP. DIX.

See Chap. 476. Expired the 1st *July*, 1729. Continued by Chap. 532.

An ACT *to continue the Currency of Bills of Credit ſtruck and iſſued in the Year One Thouſand Seven Hundred and Twenty, to the Value of* Five Thouſand Ounces of Plate, *until the firſt Day of* July, *One Thouſand Seven Hundred and Twenty-nine.*

Paſs'd the 31ſt of Auguſt, 1728.

CHAP. DX.

See Chap. 390. Revived Ch. 638. Repealed by Chap. 712, and therein provided for.

An ACT *to revive an Act, entitled,* An *Act* for mending and keeping in repair the Poſt Road from *New-York* to *King's-Bridge.*

Paſs'd the 31ſt of Auguſt, 1728.

CHAP. DXI.

See Chap. 448. Revived Ch. 553.

An ACT *for reviving an Act, entitled,* An *Act* for ſettling and regulating the Militia in this Province, and making the ſame uſeful for the Security and Defence thereof, and for repealing all other Acts relating to the ſame.

Paſs'd the 31ſt of Auguſt, 1728.

CHAP. DXII.

See Chap. 494. Expired 11th *November*, 1730.

An ACT *to continue an Act, entitled,* An *Act* for deſtroying of Wolves in the County of *Albany*, *Dutcheſs* County, and *Orange* County; and for giving a further Reward for killing of Wolves in the ſaid Counties.

Paſs'd the 31ſt of Auguſt, 1728.

CHAP.

CHAP. DXIII.

2d *GEORGE* II. A. D. 1728.

An ACT *to lay a Duty on empty Casks imported into the City of* New-York.
Pass'd the 31st of August, 1728.

Expir'd 1st of *October*, 1731.

CHAP. DXIV.

An ACT *to prevent Swine running at large in* Dutchess *County, and in the Manor of* Livingston, *and in the Precinct of the Manor of* Rensselaerwick, *called* Claverack, *in the County of* Albany.
Pass'd the 31st of August, 1728.

Continued, Ch. 546.

CHAP. DXV.

An ACT *to revive an Act, entitled,* An *Act* for the encouraging Navigation.
Pass'd the 31st of August, 1728.

See Chap. 435. Expired 1st of *December*, 1733.

CHAP. DXVI.

An ACT *to repeal some Parts, and to continue and enforce other Parts of the Act therein mentioned, and for granting several Duties to his Majesty, for supporting his Government in the Colony of* New-York, *from the first Day of* September, *One Thousand seven Hundred and Twenty-eight, until the first Day of* September, *which will be in the Year One Thousand seven Hundred and Thirty-three.*
Pass'd the 31st of August, 1728.

See Chap. 467. Explained *post*, Chap. 567. Expired 1st of *September*, 1733. And Repealed, Chap. 591.

CHAP. DXVII.

An ACT *for the better clearing, regulating, and further laying out publick High-Roads, in the County of* Westchester.
Pass'd the 20th of September, 1728.

Continu'd, Ch. 549.

CHAP. DXVIII.

An ACT *to impower and direct the Treasurer of this Colony, for the Time being, to deliver up a certain Bond, entered into by* Gilbert Livingston, *for his Contract upon the Farm of the Excise in this Colony.*
Pass'd the 20th of September, 1728.

Obsolete.

CHAP. DXIX.

An ACT *for better clearing, regulating, and further laying out publick High-Roads in* Dutchess *County.*
Pass'd the 20th of September, 1728.

Revived, Ch. 582.

CHAP. DXX.

An ACT *for naturalizing* Jan De Wit Peteriz, Mary Reneau *the Wife of* Andrew Reneau, Ezekiel Berbauld, *and* Jaques Gabriel Buvelot.
Pass'd the 20th of September, 1728.

Private.

CHAP. DXXI.

An ACT *to amend the Practice of the Law, and to regulate the giving of Special Bail.*
Pass'd the 20th of September, 1728.

Continued, Ch. 544.

2d *GEORGE* II. A. D. 1728.

Obſolete.

C H A P. DXXII.

An ACT *to enable the Juſtices of the Peace, in the County of* Richmond, *to build a County-Houſe and a new Goal in the ſaid County.*

Paſs'd the 20th of September, 1728.

C H A P, DXXIII.

Continued, Ch. 566.

An ACT *to prevent Damage by Swine, in the Precinct of* Tappan, *and ſome other Parts contiguous thereto, in the County of* Orange.

Paſs'd the 20th of September, 1728.

C H A P. DXXIV.

Obſolete.

An ACT *to raiſe the Sum of* One Hundred and ſixty-eight Pounds ſixteen Shillings and five Pence Half-penny, *in the City and County of* New-York, *for diſcharging the Debts and Demands therein mentioned.*

Paſs'd the 20th of September, 1728.

C H A P. DXXV.

Private.

An ACT *for naturalizing* Thomas Timmer.

Paſs'd the 20th of September, 1728.

C H A P. DXXVI.

Obſolete. Provided for by Chap. 534.

An ACT *for the better perfecting and compleating a publick common Highway through the County of* Ulſter.

Paſs'd the 20th of September, 1728.

C H A P. DXXVII.

Continued by Chap. 533.

An ACT *to let to farm the Exciſe of Strong Liquors, retailed in this Colony, for the Time therein mentioned, and for declaring Shrub liable to the ſame Duties as diſtilled Liquors.*

Paſs'd the 20th of September, 1728.

C H A P. DXXVIII.

Continued by Chap. 545.

An ACT *for regulating Fences for the ſeveral Cities and Counties in the Province of* New-York.

Paſs'd the 20th of September, 1728.

C H A P. DXXIX.

Repealed by the King, the 11th of *December*, 1729.

An ACT *for confirming the Act therein mentioned, with ſome Alterations and Additions; for paying Proviſions and other Stores and Services already furniſhed; and for ſubſiſting it during the Time therein mentioned; for borrowing Money for theſe Purpoſes, and providing Funds for the Re-payment thereof.*

Paſs'd the 20th of September, 1728.

C H A P. DXXX.

Obſolete.

An ACT *for raiſing and levying the Sum of* Two Hundred Pounds, *for repairing the Barracks in his Majeſty's* Fort-George, *in the City of* New-York.

Paſs'd the 20th of September, 1728.

C H A P.

3d GEORGE II.
A. D. 1729.

CHAP. DXXXI.

An ACT *reviving an Act, entitled,* An *Act* to prevent Desertion from his Majesty's Forces, in the Province of *New-York, and providing Remedies for that Purpose, in Cases not provided for by the said Act.*

Reviv'd, Ch. 580.

Pass'd the 12th of July, 1729.

CHAP. DXXXII.

An ACT *for the further continuing the Currency of Bills of Credit, struck and issued in the Year One Thousand seven Hundred and Twenty, to the Value of* Five Thousand Ounces of Plate, *until the first Day of* July, *One Thousand seven Hundred and Thirty.*

See Chap. 509. Expired the 1st of *July*, 1730. Continued by Chap. 554.

Pass'd the 12th of July, 1729.

CHAP. DXXXIII.

An ACT *to continue an Act, entitled,* An *Act* to let to farm the Excise of Strong Liquors retailed in this Colony, for the Time therein mentioned, and for declaring Shrub liable to the same Duties as distilled Liquors.

See Chap. 527. Continued by Chap. 548.

Pass'd the 12th of July, 1729.

CHAP. DXXXIV.

An ACT *for the betting clearing, regulating, and further laying out publick High-Roads in the County of* Ulster.

Continued by Chap. 577.

Pass'd the 12th of July, 1729.

CHAP. DXXXV.

An ACT *to continue an Act, entitled,* An *Act* to impower the Justices of the Peace of the County of *Albany*, living or dwelling in the Township of *Schenectady*, in the said County, to regulate the Streets and Highways, and to prevent Accidents by Fire, in the said Town.

See Chap. 488. Continued by Chap. 679.

Pass'd the 12th of July, 1729.

CHAP. DXXXVI.

An ACT *for the further continuing an Act, entitled,* An *Act* for the further laying out, regulating, and better clearing publick Highways in the County of *Suffolk.*

See Chap. 471. Expired the 24th of *July*, 1732. Provided for by Chap. 575.

Pass'd the 12th of July, 1729.

CHAP. DXXXVII.

An ACT *to ascertain the Allowance to the Representatives for the County of* Suffolk, *and for other Purposes therein mentioned.*

Pass'd the 12th of July, 1729.

Preamble.

WHEREAS there hath of late been some Disputes among the Supervisors of said County, both as to the Place of their Meetings, and also the Allowance for the Representatives of the said County; therefore, for the preventing Mistakes of the like Nature, for the Future,

Supervisors to meet annually, at the Court-House in *Suffolk*.

I. **Be it Enacted** *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Place and Time of the Supervisors Meeting, forever hereafter, shall be at the County-House, on the first Tuesday in the Month of *October*, in every Year, and at such other Times as the major Part of them shall judge necessary and convenient; and that the Reward

3d *GEORGE* II. A. D. 1729.

Each Repreſentative to have 9*s.* *per Diem.*

Reward for each Repreſentative of the ſaid County, for their Service in General Aſſembly, ſhall be *Nine Shillings per Diem*, for ſo many Days as is mentioned in their Certificates, and travelling Days in the Year One Thouſand ſeven Hundred and Twenty-eight, and in this preſent Year One Thouſand ſeven Hundred and Twenty-nine, and that ſhall forever hereafter be mentioned in their Certificates, and Journey Days, not exceeding ſix Days for coming, and the like for going, to be levied, raiſed, collected and paid, in the ſame Manner, and under the ſame Regulations, Pains, Penalties, Reſtrictions and Injunctions, as in an Act, entitled, *An* Act *for the better Explaining and more effectual putting in Execution, an Act of General Aſſembly, made in the third Year of the Reign of their late Majeſties, King* WILLIAM *and Queen* MARY, *entitled*, An *Act* for defraying of the publick and neceſſary Charge throughout this Province, and for maintaining the Poor and preventing Vagabonds.

A Repeal of Part of an Act, appointing the Time of the Meeting of the Supervisors of *Suffolk*.

II. **And be it further Enacted** *by the ſame Authority*, That ſo much of the ſaid Act, herein laſt mentioned, as relates to the Time of the Meeting of the Supervisors for the County of *Suffolk*, be, and is hereby repealed, vacated and made null and void to all Intents, Conſtructions, and Purpoſes whatſoever.

Supervisors Wages to be paid by the reſpective Towns or Manors for which they act

III. **And be it further Enacted** *by the Authority aforeſaid*, That the Supervisors Wages, for their Trouble and Pains in doing and performing the Duties and Services required of them, (except their Expences at the Place of their Meeting) ſhall be raiſed and paid to each of them, by each reſpective Town, Manor, and Precinct for whom they are Supervisors, in the ſame Manner, and under the ſame Regulations, as the other publick Charge, in each reſpective Town, Manor, or Precinct, is paid.

Inhabitants of *Shelter-Iſland*, in *Suffolk*, to chuſe Aſſeſſors, &c.

IV. **And be it further Enacted** *by the ſame Authority*, That from and after the Publication of this Act, it ſhall and may be lawful for the Inhabitants of *Shelter-Iſland*, in the County of *Suffolk*, and they are hereby impowered and required, annually, on the firſt Tueſday in the Month of *April*, to elect and chuſe among them, two Aſſeſſors and a Collector, to aſſeſs and collect ſuch Taxes as ſhall be now or hereafter laid or impoſed on them, and a Conſtable and Supervisor, for keeping the Peace, and auditing their publick Accounts, at the Time the County of *Suffolk* ſhall do, by Virtue of this Act.

CHAP. DXXXVIII.

Private.

An ACT *for naturalizing* Johan Frederick Gunter, Philip Jacob Bumper, *jun.* Jaques Gabriel Buvelot, Michael Cario, Samuel Myers, David Hays, *and* Judah Hays.

Paſs'd the 12th of July, 1729.

CHAP. DXXXIX.

Continued by Chap. 629.

An ACT *for the better clearing, regulating, and further laying out publick High-Roads, in the City and County of* Albany.

Paſs'd the 12th of July, 1729.

CHAP. DXL.

An ACT *for the effectual Recovery of the Arrears of the ſeveral Taxes, and of the Exciſe therein mentioned; and for ſecuring the Duties on Slaves, not imported in the City of* New-York, *and for impowering the Treaſurer for theſe Purpoſes.*

Paſs'd the 12th of July, 1729.

That Part of this Act not relating to Slaves, is Obſolete; *and the Sections relating to Slaves, are as follow.*

VIII. AND whereas ſeveral Negroes and other Slaves, have been brought into ſeveral Parts of this Colony, beſides the City of *New-York*, without paying the Duties impoſed thereon, by Acts of the General Aſſembly; which being a great Diſcouragement to the fair Traders, and a Leſſening of the Duties

3d *GEORGE* II. A. D. 1729.

Duties appropriated for ſupporting his Majeſty's Government in this Colony, Be it Enacted *by the Governor, Council and General Aſſembly, and by the Authority of the ſame,* That the Treaſurer of this Colony ſhall, and hereby is directed and impowered to depute proper Perſons in ſuch Cities or Counties where Negroes or other Slaves have been, or hereafter ſhall be ſo brought in or imported by Land or Water, for recovering and receiving the Duties, to which ſuch Negroes or other Slaves were ſubject and liable, by Virtue of the ſeveral Acts then in Force; which Duties are to be tranſmitted to the Treaſurer, by the reſpective Deputies, ſo ſoon as they ſhall receive or recover the ſame. And the ſaid Deputies ſhall reſpectively be intitled to receive from the Owner or Owners of Slaves ſo imported, over and above the nett Duty, *Two Shillings* on every Pound.

The Treaſurer to appoint Deputies in the Counties to collect the Duty of Negro Slaves.

IX. And foraſmuch as it is repreſented, That many of the People who now own ſome of the Slaves ſo imported, were ignorant of their being clandeſtinely imported, or that they were ſubject to a Duty; Be it Enacted *by the ſame Authority,* That if the preſent Owners of ſuch Negro, ſhall, upon a Demand by the ſaid Deputy, of the Duty thereof, give ſufficient Sureties for paying the ſame at or before the Expiration of ſix Months thereafter; that then, and in ſuch Caſe, no Seizure of ſuch Negro or other Slave, or any Proceſs ſhall be made againſt the Owner or Owners thereof, for or by Reaſon of ſuch Importation, as aforeſaid; but if Failure be made of paying ſuch Duties, or giving Security for the Payment thereof, in the Manner above-mentioned, then and in ſuch Caſe, Negroes or other Slaves ſo imported, as aforeſaid, ſhall be ſeized, and the Owners thereof proceeded againſt at Law, as in and by the Laws are directed, which laid and impoſed the ſaid Duties.

Negroes to be ſeized if Duty not paid.

X. And whereas it is further repreſented, That many or moſt of the Negroes or other Slaves, for which the ſaid Duty has hitherto not been paid, were, and have been imported by Perſons not reſiding in this Colony, Be it Enacted *by the Authority aforeſaid,* That whenever ſuch Perſon or Perſons ſhall be found or met with, within the Limits of this Colony, and likewiſe ſuch as may now, or ſhall hereafter live within the Limits of the ſame, they ſhall be ſubject and liable to pay double the Duty which the preſent Owners ſhall pay for the Slave or Slaves bought of ſuch Perſon, to be recovered by the Party aggrieved, with double Coſt, for his own Uſe, in any Court within this Colony, upon an Action of Debt, or otherwiſe, wherein no Eſſoin, Protection, or Wager of Law, or any more than one Imparlance ſhall be allowed; any Law to the contrary notwithſtanding.

Perſons not reſiding in this Colony to pay double Duty.

XI. And be it further Enacted *by the Authority aforeſaid,* That the Treaſurer ſhall, within fifteen Days after the Publication of this Act, depute proper Perſons, as he is herein enjoined and impowered to do.

Perſons to be deputed by the Treaſurer.

XII. Be it alſo Enacted *by the ſame Authority,* That in Caſe any of the aforeſaid Collectors and Commiſſioners ſhall not pay into the Treaſury, what they, reſpectively, are in Arrear, within three Months hereby limited for that Purpoſe, the ſaid Treaſurer is hereby ſtrictly charged, required and commanded, within the fifteen Days after the Expiration of that Time, to order Proceſs to be made againſt every ſuch Collector or Commiſſioner, as ſhall not make ſuch Payment.

Deputies not paying in the Duty, to be proſecuted.

CHAP. DXLI.

An ACT *for raiſing and levying the Sum of* Seven Hundred and Thirty Pounds, *for the Uſes therein mentioned, for borrowing Part thereof; and for appointing an Agent at the Court of* Great-Britain.

Obſolete.

Paſs'd the 12th of July, 1729.

3d *GEORGE* II. A. D. 1729.

CHAP. DXLII.

Repealed by the King, the 11th of *December*, 1729.

An ACT *for continuing and enforcing the Acts therein mentioned, for discharging the present Demands on the Trading-House at* Oswego, *by borrowing Money of the Excise, for the effectual Support of it, until the Twenty-fifth Day of* December, *One Thousand Seven Hundred and Thirty-three; for continuing some Duties, and augmenting others, until the Time for regulating those Duties, and the Trade at* Oswego; *for the gradual Re-payment of Money borrowed of the Excise, and for reducing former Fines, if voluntarily paid within the Time therein limited.*

Pass'd the 12th of July, 1729.

CHAP. DXLIII.

Continued by Chap. 587.

An ACT *for licensing Hawkers and Pedlars within this Colony.*

Pass'd the 12th of July, 1729.

4th *GEORGE* II. A. D. 1730.

CHAP. DXLIV.

See Chap. 521. Reviv'd and Explain'd by Ch. 648. b.

An ACT *for continuing an Act, entitled,* An *Act* to amend the Practice of the Law, and to regulate the giving of Special Bail.

Pass'd the 17th of October, 1730.

CHAP. DXLV.

See Chap. 528. Reviv'd, Ch. 685.

An ACT *to continue an Act, entitled,* An *Act* for regulating Fences for the several Cities and Counties within this Colony of *New-York.*

Pass'd the 17th of October, 1730.

CHAP. DXLVI.

See Chap. 514. Reviv'd, Ch. 639.

An ACT *to continue an Act, entitled,* An *Act* to prevent Swine running at large in *Dutchess* County, and in the Manor of *Livingston*, and in the Precinct of the Manor of *Renslaerwyck*, called *Claverack*, in the County of *Albany.*

Pass'd the 17th of October, 1730.

CHAP. DXLVII.

Reviv'd, Ch. 673, *and perpetuated.*

An ACT *to prevent Swine from running at large in the City and County of* New-York, *the County of* Westchester, Queens *County*, Kings *County, and* Richmond *County.*

Pass'd the 17th of October, 1730.

WHEREAS several Acts of General Assembly have heretofore passed, for preventing Damages by Swine in the City and County of *New-York*, the County of *Westchester*, *Queens* County, *Kings* County, and *Richmond* County, or in most of them; some of which Acts being expired, and others not answering the good Ends proposed by them;

All the Acts relating to Swine, in the City and County of *New-York*, &c. repealed on the first of *December* next.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Assembly, and by the Authority of the same,* That all such Acts as aforesaid, relating to Swine, and to prevent Damages done by them, in the several Places above mentioned, and every Clause, Article, Matter and Thing therein contained, shall be repealed, and made null and void, on the first Day of *December* next ensuing.

II. And

II. **And be it Enacted** *by the Authority aforesaid*, That in the several Places before mentioned, from the said first Day of *December* next ensuing, and during the Continuance of this Act, no Swine, small or great, shall or do run at large or at Liberty in the Highways, Roads, Lanes, Streets, Meadows, or in undivided, unimproved, or common Land, or within any Fields or Inclosures, unless in the Fields and Inclosures belonging to the Owners of such Swine, upon any Pretence, Colour, or Excuse whatsoever.

No Swine to run at large, except on Land belonging to the Owner.

III. **Be it Enacted** *by the Authority aforesaid*, That if nevertheless any Swine small or great, shall run at large or at Liberty, in any of the Places above named, after the said first Day of *December* next ensuing, in the Highways, Roads, Lanes, Streets, or Meadows, or in undivided, unimproved, or common Lands, or within any Fields or Inclosures, (except Fields and Inclosures belonging to, or in Possession of the Owners of such Swine; it shall and may be lawful, to and for any Person or Persons, except such as are herein after excepted, to impound such Swine, either in the nearest Pound within the Town, Manor, or Precinct, where they shall be taken, or within the Inclosures of the Person or Persons who shall so take them up, at his or their Election.

If they do, they may be impounded.

IV. **Be it Enacted** *by the same Authority*, That the Person or Persons so taking up, and impounding Swine for the Reason aforesaid, shall, in the speediest Manner, give Notice of the same to the Owner or Owners thereof, to whom such Swine shall be delivered again, upon his, her or their paying to the Party who took up and impounded them, the Sum of *Nine Pence*, current Money of this Colony, for each such Swine, for the first Offence, and for every Offence thereafter, the Sum of *Twelve Pence*; and if the said Owner or Owners shall not, within Forty-eight Hours after such Notice, redeem his, her or their Swine, by paying the Penalties aforesaid, as likewise reasonable Charges for keeping and feeding them, not exceeding *Two Pence*, for every Twenty-four Hours each such Swine shall be impounded and fed; it shall then be lawful, to and for the Person or Persons so taking and impounding such Swine, to expose and sell the same to the highest Bidders, first giving publick Notice of such Sale, by Advertisement to be affixed up at the nearest publick Place where the said Swine shall be pounded, at least Forty-eight Hours before such Sale; or if the Owner or Owners, or some other Person or Persons in his, her, or their Behalf, shall not, in the mean While, pay the said Poundage and Charges, the Party or Parties so taking up and impounding the said Swine, may proceed to sell and dispose thereof, in Manner as aforesaid, and out of the Money to arise by such Sale, the said Poundage and Keeping, and the Charge of Sale is first to be deducted, and the Overplus to be returned to the Owner of such Swine.

The Reward to be paid to the Person impounding them.

If the Owner refuse to pay, the Persons impounding them may sell them at Vendue.

V. **Provided always, and be it Enacted** *by the Authority aforesaid*, That no Person or Persons shall be permitted or intitled to take up or impound any Swine, in the Manner, and for the Reason aforesaid, but such as are Freeholders or Inhabitants, and have in their actual Possession, a Tenement within the Town, Manor or Precinct, where Swine shall be found running at large or at Liberty, in Manner as aforesaid.

None but Freeholders or Inhabitants to impound Swine.

VI. **Be it further Enacted** *by the Authority aforesaid*, That this Act, nor any Thing therein contained, shall bar or exclude any Person or Persons, from his, her, or their Damages done by Swine; but that the same may be had and recovered in the same Manner, as if this Act had never been passed; and that this Act shall remain of Force from the first Day of *December* next ensuing, until the first Day of *December*, which will be in the Year One Thousand Seven Hundred and Thirty-seven.

This Act not to exclude any Persons from recovering their Damages done by Swine.

Continuance of this Act.

CHAP.

4th *GEORGE* II. A. D. 1730.

CHAP. DXLVIII.

See Chap. 533. Continued by Chap. 564.

An ACT *for the further continuing an Act, entitled,* An *Act* to let to farm the Exciſe of Strong Liquors retailed in this Colony, for the Time therein mentioned, and for declaring Shrub liable to the ſame Duties as diſtilled Liquors.

Paſs'd the 17th of October, 1730.

CHAP. DXLIX.

See Chap. 517. Reviv'd, Ch. 576.

An ACT *to revive an Act, entitled,* An *Act* for the better clearing, regulating, and further laying out publick High-Roads in the County of *Weſtcheſter.*

Paſs'd the 17th of October, 1730.

CHAP. DL.

Obſolete.

An ACT *to enable the Mayor, Aldermen, and Commonalty of the City of* New-York, *to raiſe Money for the Term of three Years, to purchaſe two Fire-Engines, and for other the Purpoſes therein mentioned.*

Paſs'd the 17th of October, 1730.

CHAP. DLI.

See Chap. 492 and 450.

An ACT *for ſtriking Bills of Credit to the Value of* Three Thouſand Pounds, *and putting them into the Treaſury, to be exchanged for ſhattered, torn and defaced Bills, ſtruck and iſſued by Virtue of ſeveral former Acts.*

Paſs'd the 17th of October, 1730.

Preamble.

WHEREAS by an Act of the General Aſſembly, entitled, *An Act for making Bills of Credit, and putting the ſame into the Treaſurer's Hands, for exchanging therewith ſuch Bills of Credit of this Province, as are torn and defaced,* paſſed in the Tenth Year of his late Majeſty's Reign, there were ſtruck and made current in this Colony, Bills of Credit to the Value of *Three Thouſand Pounds,* and placed into the Treaſury, to be exchanged for ſuch of the Bills of Credit current in this Colony, ſtruck and iſſued by Virtue of the three ſeveral Acts of General Aſſembly, whereof the Titles are particularly mentioned and expreſſed in the aforeſaid Acts, as were ſo ſhattered, torn and defaced, that the real Value for which the ſame were originally ſtruck, was difficult to be known, as in and by the ſame Act, (Reference being thereunto had) may more fully and at large appear. And whereas by Virtue of an Act, entitled, *An Act for ſtriking Bills of Credit to the Value of* Three Thouſand Pounds, *and putting them into the Treaſury, to be exchanged for ſhattered, torn and defaced Bills, ſtruck and iſſued by Virtue of the ſeveral Acts therein mentioned,* paſſed in the Thirteenth Year of his ſaid Majeſty's Reign, there were ſtruck and made current in this Colony, Bills of Credit to the Value of *Three Thouſand Pounds* more, to be exchanged for ſhattered, torn and defaced Bills of Credit, ſtruck and iſſued by Virtue of former Acts, as in and by the ſame Acts (Relation being thereunto had) may more fully and at large appear. And whereas the Bills of Credit to the Value of *Five Thouſand Ounces of Plate,* ſtruck and iſſued by Virtue of an Act, paſſed in the ſeventh Year of his ſaid Majeſty's Reign, (as in the herein firſt mentioned Act is mentioned) are, by another Act, entitled, *An* Act *for the further continuing the Currency of Bills of Credit, ſtruck and iſſued in the Year One Thouſand ſeven Hundred and Twenty, to the Value of* Five Thouſand Ounces of Plate, *during the Time therein mentioned,* paſſed this preſent Seſſion of the General Aſſembly, continued to be and remain current until the firſt Day of *September,* which will be in the Year One Thouſand ſeven Hundred and Thirty-three,

three, and from thence to the End of the then next Sessions of the General Assembly. And whereas, as well the Bills of Credit to the Value of *Three Thousand Pounds*, struck in the tenth Year of his late Majesty's Reign, as those struck in the thirteenth Year of his said Majesty's Reign, in the Manner, and for the Use as aforesaid, have long since been exchanged, according to the true Intent and Meaning of those two Acts; and that, nevertheless, not only some of those very Bills of Credit, but likewise many others struck and issued by Virtue of the three several Acts, whereof the Titles are particularly and at large mentioned in the herein first mentioned Act, are become so shattered, torn, and defaced, that their real Value can scarcely be distinguished, whereby constant and frequent Disputes arise among the good Inhabitants of this Colony, in receiving and paying the same; and it being conceived, that the only effectual Remedy to remove and prevent those Difficulties, is, by striking a Quantity of other new Bills of Credit, and lodging the same in the Treasury, in order to be exchanged for such torn, shattered, and ragged Bills of Credit, as are aforesaid;

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same*, That new Bills of Credit to the Value of *Three Thousand Pounds*, be forthwith printed and signed, to and for the Purposes aforesaid, *That is to say*; Four Thousand Bills of *Two Shillings and six Pence* each: Two Thousand Bills of *Five Shillings* each: Two Thousand Bills of *Ten Shillings* each; and, One Thousand Bills of *Twenty Shillings* each. Upon which Bills shall be impressed, on the Right-hand Side, the Arms of the City of *New-York*; and that, in the upper Part of each of them, betwixt the Cypher or Flourishing and the Body of the Bill, shall be printed in Words at Length, and at the lower Part on each Side thereof, and likewise in the said Arms, in Figures, the Value they shall respectively go current for; and in the Cypher or Flourishing above, is to be left a Blank in the Form of an Oval, large enough to contain the Date of the Year, in Figures; and all the said Bills are to be in Form following, *to wit*;

The Number and Value of the Bills.

BY a Law of the Colony of New-York, *this Bill shall pass, within the same, for in all Payments, and in the Treasury. Dated* October xx, 1730.

Form of the Bills.

In which Blank is to be put, in Words at Length, the Value they are respectively to pass current at, *That is to say*; In four Thousand of them the Words, *Two Shillings and six Pence*: In two Thousand, the Words, *Five Shillings*: In other two Thousand, the Words, *Ten Shillings*; and, in the remaining Thousand, the Words, *Twenty Shillings*. And all the said Bills shall be numbered and signed by *John Cruger*, *Philip Van Cortlandt*, *Frederick Philipse*, and *Henry Beekman*, Esqrs. or any Three of them; and in Case of the Death of any of them, by the major Part of the said Persons, then alive.

The Signers Names.

II. **And be it Enacted** *by the Authority aforesaid*, That the Stamps of the Arms aforesaid, now deposited in the Hands of the Treasurer, shall, by him, be delivered to *William Bradford*, who is hereby appointed to print all the said Bills, and required to give a Receipt for the said Stamps, to the Treasurer, and therein to oblige himself to return the same to him, as soon as all the said Bills shall be printed; which said Stamps, upon such Re-delivery, are to remain in the said Treasury, sealed up by the Signers, and not to be made use of, unless by Virtue of an Act or Acts of the General Assembly, for that Purpose.

The Stamps how to be delivered and signed.

III. **Be it Enacted** *by the same Authority*, That as soon as all the said Bills are so printed, as aforesaid, the above-named *William Bradford*, shall deliver all and every one of them, unto the Persons therein nominated and appointed to sign the same, or to the major Part of them, and, at the same Time, take an

4th GEORGE II. A. D. 1730.

The Printer's Oath.

Oath upon the Holy Evangeliſts, before any Alderman of the City of *New-York*, *That the Bills then delivered unto them, are all and every of the Bills printed by Virtue of this Act, by him, or by his Privity, Procurement or Directions; and that he doth not, directly or indirectly, know or believe, that any more have been printed by him, or any other Perſon or Perſons whatſoever.*

IV. **Be it likewiſe Enacted** *by the Authority aforeſaid*, That when the ſaid Bills ſhall be ſo delivered to the Signers herein before named, they, or at leaſt any Three of them, are to number and ſign the ſame, and then deliver unto *Abraham De Peyſter*, Treaſurer of this Colony, or the Treaſurer for the Time being, the exact Quantity hereby enacted to be ſtruck, being firſt numbered and ſigned, as aforeſaid. And the ſaid Signers are, at the ſame Time, to take an Oath on the Holy Evangeliſts, *That the Bills then delivered, in Manner aforeſaid, are all the Bills ſigned by them, by Virtue of this Act; and that they will not ſign any more, unleſs by Act or Acts of the General Aſſembly thereunto impowered.* And if there ſhould happen to be any more Bills than the Value of *Three Thouſand Pounds*, herein before mentioned; all ſuch ſupernumerary Bills, whether ſigned or unſigned, are immediately to be burnt and deſtroyed in the Preſence of the Treaſurer, by the Signers aforeſaid. And whereas it may be reaſonably concluded, that of the Bills of Credit made current by the ſeveral Acts herein before mentioned, or therein referred to, a conſiderable Quantity has already been loſt, either by Accident or otherwiſe, and that ſtill a farther Quantity will be loſt, before the Expiration of the Time and Times appointed by thoſe Acts for the total cancelling and deſtroying of them reſpectively, and the Advantage accruing by ſuch Loſſes, redounding ſolely to the Benefit of this Colony;

The Signers Oath.

V. **Be it Enacted** *by the Authority aforeſaid*, That all the whole Charge which ſhall ariſe upon the Bills of Credit hereby enacted to be ſtruck, ſhall be paid and diſcharged in the ſame Bills of Credit, *That is to ſay*; To each of the Signers herein before named, the Value of *Eight Pounds*, for each of their Services in numbering, ſigning, and cancelling the ſaid Bills: To *William Bradford*, for printing the Number of Nine Thouſand Bills, and furniſhing Pen, Ink, and Paper for the Signers thereof, the Value of *Eight Pounds*: And the reſpective Receipts of the ſaid Signers and Printer, ſhall be to the Treaſurer a good Voucher and Diſcharge for ſo much as is therein mentioned and expreſſed, not exceeding the reſpective Sums above-mentioned: And to be retained in the Hands of the ſaid Treaſurer, for all his Trouble in receiving the ſaid Bills, for making the Payments above mentioned, for exchanging ſuch torn, ragged and ſhatter'd Bills as are herein before mentioned, and for cancelling the ſame, and keeping Accounts thereof, the Sum of *Sixty Pounds*.

The Signers, Printer's, and Treaſurer's Reward.

VI. **Be it nevertheleſs further Enacted**, That if ſuch Bills as are preſumed, have already, or will hereafter be loſt, as aforeſaid, ſhould happen to fall ſhort of the Charge and Salary above mentioned, the Deficiency thereof ſhall be made good, either out of any unappropriated Money, which ſhall then be in the Treaſury, or by ſome other Proviſion to be made by the General Aſſembly for that Purpoſe.

VII. **And be it further Enacted** *by the Authority aforeſaid*, That all the Reſidue of the Bills hereby enacted to be ſtruck, or ſuch Part thereof as may be requiſite or demanded, ſhall, by the Treaſurer, be given in Exchange for ſuch torn, ragged and ſhattered Bills, iſſued by Virtue of the aforeſaid Acts, as may occaſion Diſputes or Difficulties in paying or receiving of them, to all ſuch Perſon or Perſons as, from Time to Time, ſhall bring the ſame to him for that Purpoſe, *Provided* ſuch Bills are otherwiſe good, and *bona fide*, ſtruck by Virtue

The Bills to be exchanged.

Virtue of any of the five Acts herein before mentioned or referred to; and all such Bills as shall be exchanged in Manner aforesaid, shall, by the Treasurer, not only be kept distinct from all other Bills, but also each Sort kept together, according to the respective Acts, by Virtue of which they have been struck and issued, so far as the same shall be distinguishable. And altho' the only End in striking and issuing Bills by Virtue of this Act, is for preventing Difficulties to, and Disputes among the good Inhabitants of this Colony, it is nevertheless the true Intent and Desire of the General Assembly, as well to prevent, as much as in them lies, that no Confusion may be occasioned by such Relief, as to support the Credit and good Reputation, which all the Bills of Credit of this Colony have hitherto had:

VIII. **Be it therefore further Enacted** *by the Authority aforesaid*, That the Treasurer shall, in all and every of the Bills, now enacted to be struck, which he shall pay, retain or exchange, in Manner as aforesaid, make the following Distinctions, before he issue the same, in the blank Oval herein directed to be printed in the cyphering or flourishing Part thereof, *That is to say*; In all those he pays to the Signers and the Printer, and retains for his Trouble, to put in Figures, the Year 1730: In all those that shall be exchanged for Bills made current by the Act passed in the thirteenth Year of her late Majesty's Reign, to set down in Figures, the Year 1714: In all those to be exchanged for Bills made current by the Act passed in the fourth Year of his late Majesty's Reign, to set down in Figures, the Year 1717: In all those to be exchanged for Bills made current by the Act passed in the seventh Year of his said late Majesty's Reign, to write in Figures, the Year 1720; and in all those to be exchanged for Bills made current by the Act herein first mentioned, passed in the tenth Year of his said Majesty's Reign, to place in Figures, the Year 1724; and in all those to be exchanged for Bills made current by the next Act herein mentioned, passed in the thirteenth Year of his said Majesty's Reign, to place in Figures, the Year 1726. And as by this Means it will appear what Kind of Bills have been exchanged, so those exchanged in Lieu thereof, are gradually to be cancelled and destroyed, in the same Course and Order as the original Bills would have been, if they had not been exchanged.

How the Bills are to be mark'd and distinguished.

IX. **And be it further Enacted** *by the Authority aforesaid*, That the Treasurer shall not be obliged to exchange any of the Bills hereby made current, for any Bill or Bills of Credit, struck and issued by Virtue of any former Act or Acts of the General Assembly, whereof the Value shall exceed *Twenty Shillings*; any Thing herein contained to the Contrary notwithstanding.

No Bills above 20*s.* to be exchanged.

X. **And be it further Enacted** *by the Authority aforesaid*, That the Signers herein before-mentioned, shall, at the respective Time and Times, by the several Acts herein before mentioned or referred to, respectively limited and appointed for sinking and destroying the Bills thereby made current, or at least once every Year, meet at the Treasury, and then and there examine to what Value torn, shattered and ragged Bills have been exchanged, in Lieu of Bills struck by Virtue of this Act; and the said Signers, or the greater Number of them, then alive, are to make Distinctions, which Sort of Bills have been so exchanged, and the Quantity and Value thereof, and accordingly to give unto the said Treasurer, Certificates under their Hands, of the Quantity or Value, and to which of the same Acts the same belonged, so far as the same shall be distinguishable, and the Time at which such Examination was made; and the Treasurer is, at the same Time, to burn and destroy the Bills so certified, in the Presence of the said Signers, or the major Part of them then alive or present; and all such Certificates shall be to the Treasurer, good and sufficient Vouchers and Discharges, for so much as shall therein be mentioned or expressed.

The Signers to meet every Year to sink the Bills.

XI. And

4th *GEORGE* II. A. D. 1730.

How long theſe Bills ſhall paſs current.

XI. **And be it Enacted** *by the Authority aforeſaid,* That the Bills of Credit to be ſtruck by Virtue of this Act, ſhall be and continue current as long as any of the Bills of Credit, now current in this Colony, by any Act of the General Aſſembly now in Force, and ſhall be received in all Caſes whatſoever, by any Perſon or Perſons within the ſaid Colony, and be as effectually current as any other Bills of Credit, made current by any other Act or Acts of the General Aſſembly; and any Perſon or Perſons refuſing the ſame Bills for any Sum due, or hereafter to become due, for any Cauſe whatſoever, as alſo all Perſons counterfeiting the ſaid Bills, ſhall incur the ſame Forfeitures, Pains and Penalties as are contained in the Act, paſſed in the tenth Year of his late Majeſty's Reign, entitled, *An Act for making Bills of Credit, and putting the ſame into the Treaſurer's Hands, for exchanging therewith all ſuch Bills of Credit of this Province, as are torn and defaced,* in as ample and effective a Manner, to all Intents, Conſtructions and Purpoſes whatſoever, as if the ſeveral Clauſes relating thereto, had been particularly and at large inſerted in the Body of this Act; any Thing herein contained to the Contrary notwithſtanding.

Bills ſuſpected by the Treaſurer, to be ſtopt, and delivered to the Court of Quarter-Seſſions.

XII. **And be it further Enacted** *by the Authority aforeſaid,* That if any Bill or Bills of Credit ſhall be brought to the Treaſurer of this Colony for exchanging, as in this Act is directed, or in paying of Duties or Taxes due by Virtue of any other Act or Acts of the General Aſſembly of this Colony, which he ſhall have good Reaſon to ſuſpect are counterfeited or altered, to appear of a higher Value than they were originally ſtruck for; it ſhall and may be lawful for the ſaid Treaſurer, to ſtop and detain ſuch ſuſpected Bills, and to endorſe thereon the Name of the Perſon tendring the ſame, and the Time when; and all ſuch Bills he ſhall ſo ſtop or detain, ſhall, by him be delivered from Time to Time, to the Court or Courts of the Quarter-Seſſions, to be held for the City and County of *New-York*; who thereupon are either to deſtroy the ſame in the ſaid Court, or to proceed thereon, as in their Diſcretion ſhall ſeem meet: And it ſhall and may be lawful to and for the Mayor, Recorder and Aldermen of the City of *New-York*, to ſtop and detain ſuſpected Bills, and to do in that Behalf what is hereby mentioned to be done by the ſaid Treaſurer. And it ſhall and may alſo be lawful for all Juſtices of the Peace, within their reſpective Counties in this Colony, to ſtop and detain ſuch ſuſpected Bills, as aforeſaid, and (making the above-mentioned Endorſement thereon) deliver them, from Time to Time, at the next General Seſſions of the Peace, to be held for ſuch County, who are thereupon either to deſtroy the ſame in ſuch Court or Courts, or to proceed thereon, as in their Diſcretion ſhall ſeem meet; and the ſaid Court or Courts are hereby required, from Time to Time, reſpectively, to certify to the ſaid Treaſurer, the Number and Value of the Bills which they ſhall deſtroy, in Manner aforeſaid. *Provided nevertheleſs,* That nothing herein contained ſhall alter or leſſen the Puniſhments inflicted by any former Act or Acts of the General Aſſembly, on Perſons counterfeiting the Bills of Credit thereby made current in the ſaid Colony.

Juſtices to ſtop ſuſpected Bills.

CHAP. DLII.

Reviv'd, Ch. 649.

An ACT *for the better Preſervation of Oyſters.*

Paſs'd the 17th of October, 1730.

CHAP. DLIII.

See Chap. 511. Continued by Chap. 563.

An ACT *to revive and enforce an Act, entitled,* An *Act* for the ſettling and regulating the Militia in this Province, and making the ſame more uſeful for the Security and Defence thereof, and for repealing all other Acts relating to the ſame, during the Time therein mentioned.

Paſs'd the 17th of October, 1730.

CHAP.

4th *GEORGE* II. A. D. 1730.

CHAP. DLIV.

An ACT *for the further continuing the Currency of the Bills of Credit ſtruck and iſſued in the Year One Thouſand Seven Hundred and Twenty, to the Value of* Five Thouſand Ounces of Plate, *during the Time therein mentioned.*

Paſs'd the 17th of October, 1730.

See Chap. 532. Expired 1ſt of *September*, 1733.

CHAP. DLV.

An ACT *for the better clearing, regulating, and further laying out publick Highways in* Kings *County*, Queens *County*, Richmond *County, and* Orange *County.*

Paſs'd the 29th of October, 1730.

Continued by Chap. 581.

CHAP. DLVI.

An ACT *for naturalizing* Herman Winkler, *and other the Perſons therein mentioned.*

Paſs'd the 29th of October, 1730.

Private.

CHAP, DLVII.

An ACT *to prevent the Deſtruction of Sheep, by Dogs, in the City and County of* Albany, *the County of* Weſtcheſter, *the County of* Suffolk, Queens *County*, Kings *County*, Richmond *County, and* Orange *County.*

Paſs'd the 29th of October, 1730.

Expired at the End of the firſt Seſſions after the 29th of *October*, 1731. But provided for by Chap. 774.

CHAP. DLVIII.

An ACT *for the Relief of inſolvent Debtors within the Colony of* New-York, *with Reſpect to the Impriſonment of their Perſons.*

Paſs'd the 29th of October, 1730.

Expired at the End of the firſt Seſſions after the 29th of *October*, 1731.

CHAP. DLIX.

An ACT *to prevent the taking or levying on Specialties, more than the principal Intereſt and Coſts of Suit, and other Purpoſes therein mentioned.*

Paſs'd the 29th of October, 1730.

Repealed by the King, the 12th of *Auguſt*, 1731.

CHAP. DLX.

An ACT *for the more effectual preventing and puniſhing the Conſpiracy and Inſurrection of Negroes and other Slaves; for the better regulating them, and for repealing the Acts therein mentioned, relating thereto.*

Paſs'd the 29th of October, 1730.

WHEREAS many Miſchiefs have been occaſioned by the too great Liberty allowed to Negro and other Slaves, and that ſome of the Acts relating thereto, are expired, and others not fully anſwering the good Purpoſes thereby intended, the General Aſſembly therefore pray it may be enacted;

Preamble.

I. **And be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That no Perſon or Perſons do hereafter, throughout this Colony, preſume to trade or traffick with any Slave or Slaves, either in buying or ſelling, without Leave and Conſent of the Maſter or Miſtreſs of ſuch Slave or Slaves, on Forfeiture of treble the Value of the Thing or Things traded for, and alſo the Sum of *Five Pounds*, current lawful Money, to the Maſter or Miſtreſs of ſuch Slave or Slaves,

Penalty on Perſons trading with Slaves.

4th *GEORGE* II. A. D. 1730.

for each Offence; to be recovered of ſuch Perſon or Perſons ſo trading, contrary to the true Intent and Meaning of this Act, by Action of Debt, in any Court of Record within this Colony, where ſueh Sum or Sums is cognizable; and all Contracts and Bargains made with any Slave or Slaves, ſhall be utterly void.

Penalty on Perſons for ſelling ſtrong Liquors to Slaves.

II. And whereas, notwithſtanding ſundry Laws paſſed heretofore in this Colony, for the Purpoſes above mentioned, ſeveral evil-diſpoſed Perſons, having Nothing in View but their private Gain, do clandeſtinely trade and traffick with Slaves: For Remedy whereof, **Be it Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons within this Colony, ſhall, from and after the Publication of this Act, ſell any Rum or other Strong Liquor, to any Negro, Indian, or Mulatto Slave or Slaves, or ſhall buy or take in Pawn from them, any Wares, Merchandizes, Apparel, Tools, Inſtruments, or any other Kind of Goods whatever, and ſhall thereof be accuſed by the Maſter or Miſtreſs of ſuch Slave or Slaves, or by any other Perſon or Perſons, before any one Juſtice of the Peace in the City or County where the Offender ſhall dwell or reſide, ſhall forfeit and pay the Sum of *Forty Shillings* for every ſuch Offence, to be recovered with Coſts, before the ſaid Juſtice of the Peace, or before any other Juſtice dwelling where ſuch Offence is committed; who is hereby ſtrictly required and directed to hear, and finally to determine the ſame; unleſs the Perſon or Perſons accuſed, as aboveſaid, do take his, her, or their corporal Oath, (which Oath the ſaid Juſtice is hereby impowered to adminiſter) That he, ſhe, or they, have not, either by themſelves, or by any other Perſon or Perſons on his, her, or their Behalf, directly or indirectly, ſold, bought or taken in Pawn any of the Thing or Things of which he, ſhe, or they ſhall be accuſed, in Manner as aforeſaid; which Forfeiture ſhall be one Half to the Informer, the other Half for the Poor of the City, Town, Manor, or Precinct where ſuch Offence is committed; and upon Non-payment of the above-mentioned Penalty, the offending Party or Parties, ſhall be, by the ſaid Juſtices, committed to the common Goal, there to remain for the Space of twenty Days, unleſs the ſaid Penalty be ſooner paid.

Slaves may be puniſhed by their Maſters or Owners.

III. **And be it further Enacted** *by the ſame Authority*, That hereafter it ſhall and may be lawful for any Maſter or Miſtreſs to puniſh his, her, or their Slave or Slaves, for their Crimes and Offences, at Diſcretion, not extending to Life or Limb.

Not above three Slaves to meet together.

IV. And foraſmuch as the Number of Slaves in the Cities of *New-York* and *Albany*, as alſo within the ſeveral Counties, Towns and Manors within this Colony, doth daily increaſe, and that they have been often-times guilty of confederating together in running away; and of other ill and dangerous Practices: **Be it therefore Enacted** *by the aforeſaid Authority*, That it ſhall not hereafter be lawful for above three Slaves to meet together at any Time, nor at any other Place, than when it ſhall happen they meet in ſome ſervile Imployment, for their Maſters or Miſtreſſes Profit, and by their Maſters or Miſtreſſes Conſent, upon Penalty of being whipt upon the naked Back, at the Diſcretion of any one Juſtice of the Peace, not exceeding forty Laſhes for each Offence.

Eaſt Town and Manor, may appoint a common Whipper for their Slaves.

V. **And be it further Enacted** *by the ſame Authority*, That it ſhall and may be lawful hereafter, for every City, Town and Manor within this Colony, to have and appoint a common Whipper for their Slaves; and for his Salary, it ſhall and may be lawful for any City, Town, or Manor within this Colony, at their Common-Council or Town-Meeting, to agree upon ſuch Sum to be paid him, by the Maſter or Miſtreſs of Slaves, not exceeding the Sum of *Three Shillings per Head*, for all ſuch Slaves as ſhall be whipt, as aforeſaid; and upon

Neglect

Neglect or Refusal of the Master or Mistress, to pay the Sum so agreed upon, as above, that then such Slave or Slaves shall be committed until Payment be made, with Costs. And in Case any Slave shall presume to assault or strike any Christian or Jew, it shall be in the Power of any two Justices of the Peace, who, by this Act, are hereunto authorised, to commit such Slave or Slaves to Prison, not exceeding fourteen Days for one Fact, and to inflict such other corporal Punishment, not extending to Life or Limb, upon him, her or them, so offending, as to the said Justices shall seem meet and reasonable.

Punishment of Slaves for striking a white Man.

VI. **And be it further Enacted** *by the Authority aforesaid*, That no Person or Persons whatsoever, do hereafter employ, harbour, conceal or entertain other Men's Slave or Slaves, at their House, Out-house, or Plantations, without the Consent of his, her, or their Master or Mistress, upon the Forfeiture of *Five Pounds* for every twenty-four Hours, (and so proportionably for a less Time they are so concealed or entertained) to the said Master or Mistress of such Slave or Slaves, so that the Penalty for entertaining such Slave, do not exceed the Value of such Slave. And if any Person or Persons whatsoever, shall be found guilty of harbouring, entertaining, or concealing of any Slave or Slaves, or assisting to the conveying him, her, or them away; if such Slave shall happen to be lost, dead, or otherwise destroyed, such Person or Persons so harbouring, entertaining, concealing, assisting, or conveying them away, shall be also liable to pay the Value of such Slave or Slaves, to the Master or Mistress; to be recovered by Action of Debt, in any Court of Record.

Penalty for entertaining of Slaves.

VII. And whereas it often happens, that through the Lenity of the Master, or Person under whose Care the said Negroes or Slaves are, the Persons so entertaining and dealing with them, are forgiven, and not brought to condign Punishment, to the very great Hurt, not only of the said Masters, but of other his Majesty's liege People, owning Negroes and other Slaves: **Be it therefore Enacted** *by the Authority aforesaid*, That if any Master or Mistress, or Person under whose Care any Negro or other Slave is, shall forgive, make up, compound, compromise, or receive or take any other or less Consideration than is by this Act prescribed, shall forfeit double the Sum the said Person or Persons so entertaining, ought to have forfeited; to be recovered in any Court of Record within this Colony, by Action of Debt, Bill, Plaint or Information, wherein there shall be no Essoin, Protection, Wager of Law, or any more than one Imparlance allowed, one Half thereof to any Person that shall sue for the same, the other Half to his Majesty, his Heirs and Successors, for and towards defraying the publick Charge of the City, Town, Borough, Manor or Precinct in which the Master, Mistress, or Person under whose Care the said Negroes or other Slaves are, doth dwell or inhabit.

Penalty on Masters, &c. if they compound for their Slaves Crimes.

VIII. **Be it also further Enacted** *by the same Authority*, That if any Person or Persons knowing of such Entertainers of Slave or Slaves, and does not discover the same to the Master, Mistress, or Person under whose Care the said Slave or Slaves are, or to some one Justice of the Peace, or being suspected to know, upon Complaint, doth not discover the same, or upon Tender of an Oath before any Justice of the Peace, before whom such Complaint shall come, (who is hereby authorised to administer the same) shall refuse to take such Oath, and purge him, her, or themselves; the said Person or Persons so neglecting or refusing to discover or take the said Oath, shall forfeit the Sum of *Forty Shillings*, to be immediately, after Conviction, levied upon his, her or their Goods and Chattels, to the Use of the Person or Persons who shall inform or complain; and in Case there be no Goods and Chattels, then the Body of the Person or Persons offending, shall be committed to Goal, till he, she, or they pay and satisfy the said Sum of *Forty Shillings*, and Charges accruing thereon;

Penalty on Persons that do not discover those that entertain Slaves.

4th *GEORGE* II. A. D. 1730.

thereon; and if it afterwards appear, that any Perſon or Perſons, who, by the Directions in this Act, are in any Caſe obliged to purge him, or her, or themſelves by their Oath, have ſworn falſely; ſuch Perſon or Perſons ſo offending, ſhall incur the like Pains and Penalties as thoſe who are found guilty of willful Perjury, and be proſecuted accordingly.

IX. And whereas there are many Negroes, Indians and Mulattoes, who have formerly been manumitted, and made free within this Colony, by their Maſters or Owners; and it is found by Experience, that they entertain, harbour, ſupport, and encourage Negro, Indian and Mulatto Slaves, to the great Damage and Detriment of the Maſters or Owners of Slaves, and of other of his Majeſty's liege Subjects within this Colony; **Be it therefore Enacted** *by the Authority aforeſaid*, That if any Negro, Indian or Mulatto, made, or born free, or to be made free hereafter, ſhall knowingly and wittingly entertain any Slave or Slaves abſenting himſelf or themſelves, from his, her or their Maſters or Miſtreſſes Service, without Leave firſt given and ſignified, as aforeſaid, or without the Maſter, or Perſon under whoſe Care the ſaid Slave is, be preſent; the ſaid Negro, Indian or Mulatto, ſo offending, ſhall be forthwith apprehended, and forfeit the Sum of *Ten Pounds*, for every Night or Day they are ſo entertained, to the Maſter or Miſtreſs of ſuch Slave or Slaves; to be recovered by Action of Debt, as aforeſaid.

Penalty on free Negroes, &c. that entertain Slaves.

X. **And be it further Enacted** *by the ſame Authority*, That if any Maſter or Miſtreſs, ſhall manumit and ſet at Liberty, any Negro, Indian or Mulatto Slave; and ſuch Maſter or Miſtreſs, ſo manumitting and ſetting at Liberty, or any other ſufficient Perſon, for and on Behalf of ſuch Negro, Indian or Mulatto Slave, ſhall do and enter into a Bond unto his Majeſty, his Heirs and Succeſſors, with two Sureties, in a Sum not leſs than *Two Hundred Pounds*, at the General Seſſions of the Peace, for the County where ſuch Negro, Indian or Mulatto Slave, ſhall live or reſide, to keep and ſave ſuch Negro, Indian or Mulatto Slave, from becoming or being any Charge to the City, Town, Pariſh or Place within this Colony, where he, ſhe or they, ſhall at any Time after ſuch Manumiſſion, live; the ſaid Negro, Indian or Mulatto, ſhall be free, according to ſuch Manumiſſion of the Maſter or Miſtreſs, ſo manumitting and ſetting at Liberty, ſuch Slave or Slaves: And if any Negro, Indian or Mulatto Slave, ſhall have been made free, or hereafter ſhall be made free, by the Will or Teſtament of any Perſon deceaſed; that then, if any Executor or Executors, of any Perſon or Perſons deceaſed, or on their Neglect or Refuſal, any other ſufficient Perſon, for and on the Behalf of ſuch Negro, Indian or Mulatto Slave, ſhall and do enter into ſuch Security, as aforeſaid, at the General Seſſions of the Peace for the County, where ſuch Negro, Indian or Mulatto Slave, ſhall live or reſide, to keep and ſave ſuch Negro, Indian or Mulatto Slave, from becoming or being any Charge to the City, Town, Pariſh or Place within this Colony, where he, ſhe or they, ſhall at any Time after ſuch Manumiſſion, live; the ſaid Negro, Indian or Mulatto Slave, ſhall be free, according to the true Intent and Meaning of the Will or Teſtament of any Perſon or Perſons deceaſed: And if Security be not given in Manner aforeſaid, ſuch Manumiſſion or Deviſe, as before mentioned, ſhall be void, and of none Effect; any Uſage or Cuſtom to the contrary notwithſtanding.

Slaves that are ſet free, ſhall give Security.

XI. And whereas Slaves are the Property of Chriſtians or Jews, and cannot, without great Loſs or Detriment to their Maſters or Miſtreſſes, be ſubjected in all Caſes criminal, to the ſtrict Rules of the Laws of *England*; **Be it Enacted** *by the Authority aforeſaid*, That hereafter, if any Slave or Slaves, by Theft or other Treſpaſs, ſhall damnify any Perſon or Perſons, to the Value of *Five Pounds*, or under; the Maſter or Miſtreſs, of ſuch Slave or Slaves, ſhall be liable to make

make Satisfaction for such Damages, to the Party injured; to be recovered by Action of Debt, in any Court having Jurisdiction and Cognizance of Pleas to that Value; and the Slave or Slaves shall receive corporal Punishment, at the Discretion of any one Justice of the Peace, and immediately thereafter (the Master or Mistress having first paid the Charges of such Punishment) be permitted to attend his or her Master or Mistress's Service, without further Punishment.

The Owners of Slaves shall make good the Trespasses their Slaves commit.

XII. **And be it further Enacted** *by the Authority aforesaid*, That hereafter no Slave or Slaves shall be allowed as Evidence or Evidences, in any Matter, Cause, or Thing whatsoever, excepting in Cases of Plotting or Confederacy among themselves, either to run away, kill or destroy their Master, Mistress, or any other Person; or burning of Houses, Barns, Barracks, or Stacks of Hay, or of Corn; or the killing of their Master or Mistresses Cattle or Horses; and that only against one another; in which Cases the Evidence of one Slave shall be allowed good against another Slave.

Evidence of Slaves not to be allowed, except against other Slaves.

XIII. **And be it further Enacted** *by the same Authority*, That all and every Negro, Indian, or other Slave or Slaves, who, after the Publication of this Act, shall murder or otherwise kill, unless by Misadventure, or in the Execution of Justice, or conspire or attempt the Death of any of his Majesty's liege People, not being Slaves; or shall attempt or commit any Rape, on any of the said Subjects; or shall willfully burn any Dwelling-House, Barn, Stable, Out-house, Stacks of Corn or Hay; or shall willfully mutilate, mayhem, or dismember any of the said Subjects, not being Slaves, as aforesaid; or shall willfully murder any Negro, Indian, or Mulatto Slave; within this Colony; and shall thereof be convicted before three or more of his Majesty's Justices of the Peace, for the County where such Fact shall be committed, one whereof to be of the *Quorum*, who are hereby authorised to hear and determine the same, in Conjunction with five of the principal Freeholders of the County, without a Grand Jury, seven of whom agreeing, shall put their Judgment in Execution, according to this Act; or before any Court of Oyer and Terminer, or general Goal-Delivery; he, she, or they, so offending, shall suffer the Pains of Death, in such Manner, and with such Circumstances, as the Aggravation or Enormity of their Crimes, in the Judgment of the Justices of those Courts aforesaid, or as in the Judgment of seven of the said Justices and Freeholders, shall merit and require.

Trial and Punishment of Slaves that commit Murder, &c.

XIV. **Be it further Enacted** *by the Authority aforesaid*, That upon Complaint made to any one Justice of the Peace, against any Negro, Indian, or Mulatto Slave or Slaves, who have, or are supposed to have committed any of the Murders, Rapes, Mayhems, Insurrections or Conspiracies, mentioned in this Act, the said Justice is immediately to issue his Warrant to the next Constable, to apprehend the said Offender or Offenders, and for all or any Person or Persons to come before him, that can give Evidence; and if, upon Examination, it appears, that the Slave or Slaves apprehended, are guilty, he shall commit him, her, or them to Prison; and also shall certify to the two next Justices of the Peace, the said Cause, and require them, by Virtue of this Act, to associate themselves to him; which the said Justices are hereby required to do; and they, so associated, are to issue their Summons to five Freeholders, acquainting them with the Cause, and appointing them the Time and Place the same shall be heard and determined; at which Time and Place, the Justices are hereby impowered to appoint some Person to prosecute the said Offender or Offenders; and the Person so appointed, shall prefer an Accusation in Writing, specifying the Time, Place, and Nature of the Offence, as near as conveniently may be; to which Accusation the Offender or Offenders shall be obliged to plead; and upon Refusal to plead, the like Judgment shall be given against such Slave or Slaves, so accused, as if convicted by Verdict or Confession;

On Complaint, one Justice may commit Slaves to Goal, and with other Justices and Freeholders proceed to Trial for high Crimes.

4th *GEORGE* II. A. D. 1730.

and upon pleading thereto, the Juſtices ſhall proceed to Trial, in Conjunction with the ſaid Freeholders, ſo ſummoned, as aforeſaid; to which Freeholders no peremptory Challenge ſhall be allowed; and if, upon hearing the Matter, (the ſaid Freeholders being firſt ſworn by the ſaid Juſtices, to judge according to Evidence) they ſhall adjudge ſuch Slave or Slaves, guilty of the Offence complained of, they ſhall give Sentence of Death upon him, her, or them, as aforeſaid; and, by their Warrant, cauſe immediate Execution to be done by the common or any other Executioner, in ſuch Manner as they ſhall think fit.

Slaves may be tried by a Jury, if the Maſter deſire it.

XV. **Provided always, and it is hereby further Enacted** *by the Authority aforeſaid*, That if any Maſter or Miſtreſs of any Slave or Slaves, be inclined to have his, her, or their Slave or Slaves, tried by a Jury of twelve Men, it ſhall be granted; ſuch Maſter or Miſtreſs paying the Charge of the ſame, not exceeding *Nine Shillings* to the Jury; and in ſuch Caſe there ſhall a Precept be iſſued by the Juſtices, to the next Conſtable, to ſummon a Jury of twelve Men, who ſhall be ſworn to try according to Evidence; and the Juſtices ſhall proceed to Trial, by the ſaid Jury, ſummoned and ſworn, as aforeſaid, without a Grand Jury, to which Jurors no peremptory Challenge ſhall be allowed.

How the Charge of proſecuting Slaves is to be defrayed.

XVI. **And be it further Enacted** *by the Authority aforeſaid*, That the Charge of proſecuting and executing of Negroes and other Slaves, in Manner before expreſſed, ſhall be paid and defrayed by the City or County where ſuch Negro or Slaves ſhall be convicted and executed, and be laid, aſſeſſed and levied in the ſame Manner as the publick and neceſſary Charge of ſuch City or County, are, or uſed to be raiſed, and to be diſtributed by the Order and Direction of the Juſtices hereby impowered to hear and determine the Crimes of ſuch Negro or other Slaves, offending, as aforeſaid, ſo as that the ſaid Charge ſhall not exceed the Sum of *Three Pounds*, current Money of this Colony, for each Conviction and Execution.

How the Owners of the Slaves executed, are to be paid.

XVII. **And be it further Enacted** *by the Authority aforeſaid*, That the Owner or Owners of a Slave or Slaves, ſo executed, in the City and County of *Albany*, or in any of the other Counties within this Colony, ſhall be paid for the ſame, in the like Manner as the Charges for Proſecution and Execution is, by this Act, directed to be aſſeſſed, levied, and paid; *Provided* the Value of ſuch Slave does not exceed the Sum of *Twenty-five Pounds*, current Money of this Colony.

How the Charge of the Trial of Slaves ſhall be paid in the City of *New-York*.

XVIII. **And be it further Enacted** *by the ſame Authority*, That in the City and County of *New-York*, the Juſtices of the Peace of the ſaid City, for the Time being, or the major Part of them, do take effectual Care, in Caſe ſuch Conviction and Execution happen within their Juriſdiction, that ſuch Charge, as aboveſaid, be raiſed, levied, and collected in the ſame Manner as is directed in an Act, entitled, *An* Act *for ſettling a Miniſtry, and raiſing a Maintenance for them in the City of* New-York, *County of* Richmond, Weſtcheſter, *and* Queens *County*, paſſed in the fifth Year of their late Majeſties, King WILLIAM and Queen MARY; and that the ſame ſhall be paid into the Hands of the Treaſurer or Chamberlain of the ſaid City, for the Time being, who is hereby required to pay the ſame by Order and Direction of the Juſtices hereby impowered to hear and determine the Crimes of ſuch Slave or Slaves, offending, as aforeſaid, ſo as the Charge of each Conviction and Execution ſhall not exceed the Sum of *Three Pounds*, current Money of this Colony.

Slaves executed in the City of *New-York*, how to be paid for.

XIX. **And be it further Enacted** *by the ſame Authority*, That the Owner or Owners of ſuch Slave or Slaves, which ſhall happen to be executed by Virtue of this Act, in the City and County of *New-York*, ſhall be paid for the ſame, and the Money ſhall be aſſeſſed, collected and paid, as in and by this Act, the Juſtices of the Peace for the ſaid City and County, are directed and impowered to levy, pay

pay and discharge the Prosecution and Execution of Slave or Slaves; *Provided* the Price to be paid for each Slave, so executed, do not exceed the Sum of *Twenty-five Pounds*, current Money of this Colony.

XX. **And be it further Enacted** *by the Authority aforesaid*, That it shall not be lawful for any Slave or Slaves, to have or use any Gun, Pistol, Sword, Club, or any other Kind of Weapon whatsoever, but in the Presence or by the Direction of his, her, or their Master or Mistress, and in their own Ground, on Penalty of being whipt for the same, at the Discretion of the Justice of the Peace, before whom such Complaint shall come, or upon the View of the said Justice, not exceeding twenty Lashes on the bare Back, for every such Offence.

Penalty on Slaves that carry Arms.

XXI. **And be it further Enacted** *by the Authority aforesaid*, That every such Justice of the Peace, Constable, Assessor, Collector, or any other Officer, as do neglect, delay, or refuse the several Duties and Services hereby enjoined to be respectively done and performed by them, shall, for every such Offence, forfeit the Sum of *Forty Shillings*: And every Freeholder, summoned, as aforesaid, and neglecting or refusing to serve, shall forfeit the Sum of *Twenty Shillings*; which Penalty or Penalties shall be recovered before any two Justices of the Peace, dwelling in the City or County where such Neglect, Delay, or Refusal shall happen; to be levied on the Goods and Chattels of the Offender, by a Constable, by Warrant from such Justices; who are hereby impowered and directed, upon such Neglect, Delay, or Refusal, to issue their Warrant for levying the same; and one Half of such Penalty shall be for the Use of the Prosecutor, and the other Half for the Use of the Poor of the Place where such Penalty shall be levied.

Penalty on Officers that neglect their Duty.

XXII. And for preventing Doubts, Scruples, or Confusions, concerning the several Acts of General Assembly heretofore passed, in Relation to Slaves, **Be it Enacted** *by the Authority aforesaid*, That all and every the following Acts, and every Clause, Article and Thing therein, or in the Acts for the Continuance or Revival thereof, shall, after the Publication of this Act, be, and are hereby repealed, and made null and void, *That is to say*; an Act, entitled, ‖ *An* Act *for regulating Slaves*, passed in the first Year of the late Queen ANNE; an Act, entitled, ‡ *An* Act *for preventing the Conspiracy of Slaves*, passed in the seventh Year of the said Queen; § *An* Act *for preventing, suppressing, and punishing the Conspiracy and Insurrection of Negroes, and other Slaves*, passed in the eleventh Year of her said late Majesty; and an Act, entitled, † *An* Act *for explaining and rendering more effectual, an Act of the General Assembly of this Colony, entitled,* An *Act* for preventing, suppressing, and punishing the Conspiracy and Insurrection of Negroes and other Slaves, passed in the * *third* Year of King GEORGE the First.

Acts repealed.

CHAP. DLXI.

An ACT *to defray the Charge of victualling his Majesty's Troops posted at* Oswego, *and for other the Purposes therein mentioned.*

Obsolete.

Pass'd the 29th of October, 1730.

CHAP. DLXII.

An ACT *for paying* Richard Bradley, *Esq*; One Hundred and Fifty Pounds; *and* Henry Beekman, *Esq*; *the Sum of* Seventeen Pounds Ten Shillings, *for the Consideration, and in the Manner therein mentioned.*

Private.

Pass'd the 29th of October, 1730.

CHAP.

‖ Chap. 123. ‡ Chap. 181. § Chap. 250. † Chap. 341. * *The Act pass'd 4th* GEORGE I.

5th *GEORGE* II. A. D. 1731.

RIP VAN DAM, Esq; President.

CHAP. DLXIII.

See Chap. 553. Continued by Chap. 573.

An ACT *for the further Continuance of an Act, entitled,* An *Act* for settling and regulating the Militia in this Province, for making the same useful for the Security and Defence thereof, and for repealing all other Acts relating to the same, during the Time therein mentioned.

Pass'd the 30th of September, 1731.

CHAP. DLXIV.

See Chap. 548. Continued by Chap. 572.

An ACT *for the further continuing of an Act, to let to farm the Excise of strong Liquors retailed in this Colony, for the Time therein mentioned, and for declaring Shrub liable to the same Duties as distilled Liquors.*

Pass'd the 30th of September, 1731.

CHAP. DLXV.

Reviv'd, Chap. 648. a.

An ACT *to provide able Pilots, and to establish their Pilotage between* Sandy-Hook *and the Port of* New-York.

Pass'd the 30th of September, 1731.

Preamble.

WHEREAS an Act of the General Assembly of this Colony, entitled, *An Act to provide able Pilots at* Sandy-Hook, *and for the Port of* New-York, passed in the Twelfth Year of his late Majesty's Reign, is expired by its own Limitation; and it being highly necessary that skillful and able Pilots should be provided and appointed, both for the Safety and Conveniency of the Navigation out of, and into the Port of *New-York*;

Pilots to be appointed by the Governor.

I. **Be it Enacted** *by his Honour the President, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same,* That all and every such Person or Persons, as already are, or shall from Time to Time, during the Continuance of this Act, be nominated and appointed, in and by Warrant or Warrants under the Hand and Seal of the President, or the Governor, or Commander in Chief for the Time being, by and with the Advice and Consent of his Majesty's Council for this Colony, to be Pilot or Pilots between *Sandy-Hook* and *New-York*, shall be the Pilot and Pilots from the Port of *New-York* to *Sandy-Hook*, and from *Sandy-Hook* to the said Port of *New-York*, and to and from those Places, during the Time such Pilot or Pilots shall well and truly perform that Service, and comply with the several Directions of this Act, according to the true Intent and Meaning thereof.

The Pilots Fees.

II. AND to the End such Pilots may have due Encouragement to attend and perform such Services; **Be it Enacted** *by the Authority aforesaid,* That it shall and may be lawful, to and for every such Pilot, to ask, demand and receive, of and from every Person or Persons, that shall employ him or them to pilot any Ship or other Vessel from or without *Sandy-Hook*, unto the Port of *New-York*, or from the said Port of *New-York*, down to *Sandy-Hook*, so far as that they may proceed from thence safely to Sea, from the first Day of *April*, until the first Day of *October*, yearly, the Rates and Pilotage following, in Money as it passes current in this Colony; *That is to say*;

For every Ship or other Vessel, drawing Ten Foot Water, the Sum of *Three Pounds.*

For

For every Ship or Vessel drawing Eleven Foot Water, the Sum of *Three Pounds Five Shillings.*

For every Ship or Vessel drawing Twelve Foot Water, the Sum of *Three Pounds Fifteen Shillings.*

For every Ship or Vessel drawing Thirteen Foot Water, the Sum of *Four Pounds Ten Shillings.*

For every Ship or Vessel drawing Fourteen Foot Water, the Sum of *Five Pounds.*

For every Ship or Vessel drawing Fifteen Foot Water, the Sum of *Six Pounds.*

For every Ship or Vessel drawing Sixteen Foot Water, the Sum of *Seven Pounds.*

For every Ship or Vessel drawing Seventeen Foot Water, the Sum of *Eight Pounds.* And,

For every Ship or Vessel drawing Eighteen Foot Water, the Sum of *Nine Pounds.*

AND from the first Day of *October*, to the first Day of *April*, yearly, the Sum of *Twenty Shillings* more, for every such Ship or other Vessel respectively.

III. **Be it Enacted** *by the same Authority*, That if the Person or Persons so employing such Pilot or Pilots, as aforesaid, shall refuse or deny to pay the Pilotage, according to the Rates above mentioned; either the Mayor, Deputy Mayor, or Recorder of the City of *New-York*, shall and may, upon Complaint thereof made to him or them, cause the Person complained of, to appear before him or them, and to award Judgment, and if Need be, Execution, against the Defendant, according to the Rates above mentioned, together with reasonable Charges, unless the said Defendant do prove any previous Agreement to the contrary; in which Case only so much shall be allowed as was so agreed.

How the Pilots Fees are to be recovered.

IV. AND to prevent Exactions by such Pilots; **Be it Enacted** *by the same Authority*, That such Pilot or Pilots, so employed as aforesaid, as shall presume to ask, demand or receive, any more or higher Reward for Pilotage, than according to the Rates before mentioned, shall forfeit for the first Offence, *Five Pounds*, like Money; one Half for the Person informing, and the other Half for the Use of his Majesty, towards the Support of his Government in this Colony; to be recovered before any two Justices of the Peace in the City of *New-York*; and for the second Offence, be disabled to act as a Pilot, during the Continuance of this Act.

Penalty for demanding more Fees than allowed by this Act.

V. AND to the End the Pilots authorised in Manner as aforesaid, may duly discharge the Services hereby intended, **Be it Enacted** *by the same Authority*, That the Pilots already appointed, and each of them, shall, within one Month after the Publication of this Act, and such Pilots as shall be hereafter appointed, shall, before they act by Virtue of such Appointment, enter into Recognizances, with sufficient Sureties, to be approved of by the said President, or the Governor or Commander in Chief, for the Time being, and the Council, in the penal Sum of *Twenty Pounds*, current Money of this Colony; conditioned, *That he shall and will, within three Months thereafter, and during his being a Pilot, provide himself with a sufficient Boat, fitted with good Tackle, Apparel, and Furniture, and therwith, either personally, or by some other able and skillful Person, to be deputed by him, attend at or near* Sandy-Hook, *in order to go on board of any Ship or Vessel bound into* Sandy-Hook, *and from thence up to the Port of* New-York. And such of the said Pilots as shall fail in keeping such Boat, and giving due Attendance, as aforesaid, (Extremity of Wind and Weather excepted) shall not only be liable to the Penalty above-mentioned, but thence forward be disabled to act as a Pilot, during the Continuance of this Act.

Pilots shall enter into Recognizances.

5th *GEORGE* II. A. D. 1731.

Penalty on private Perſons for piloting Veſſels without Licence.

VI. **And be it further Enacted** *by the Authority aforeſaid,* That if any Perſon or Perſons, not appointed in the Manner before-mentioned, or deputed by thoſe ſo authoriſed, as aforeſaid, ſhall preſume to take upon him or them, to pilot any Ship or Veſſel, going into, or coming out of the ſaid Port of *New-York*, ſhall forfeit and pay the Sum of *Three Pounds*; to be recovered (before any one Juſtice of the Peace in the Colony aforeſaid, who is hereby impowered and required the ſame to hear, and finally to determine) by any Perſon that will ſue for and proſecute the ſame; one Half to his Majeſty, his Heirs and Succeſſors, to be paid to the Treaſurer of this Colony for the Time being, to be applied towards the Support of this Government; and the other Half to the Perſon or Perſons informing and proſecuting the ſame, (in which the Oath of one lawful Witneſs ſhall be ſufficient Evidence;) and in Caſe of Non-Payment, immediately to be levied upon his or their Goods and Chattels, by Warrant from the Juſtice of the Peace before whom ſuch Information ſhall be brought, directed to the High-Sheriff of the City or County, or any one Conſtable of the Town in which the ſaid Juſtice ſhall dwell or inhabit; who is hereby authoriſed and required to put the ſame in Execution; the ſaid Goods and Chattels, if not redeemed in three Days, to be publickly ſold to the higheſt Bidder, and the Forfeiture and reaſonable Charges being firſt deducted, the Overplus, (if any) ſhall be returned to the Owner from whom the Goods and Chattels were taken.

If the Pilot be abſent, a private Perſon, or the Maſter, may pilot a Ship or Veſſel;

As alſo all Maſters of Veſſels who ſhall judge themſelves capable of piloting the Veſſels under their Command.

VII. **Provided always,** That it ſhall and may be lawful, for any Perſon or Perſons, to take under his or their Care and Charge, to pilot into, or out of the ſaid Port, any Ship or Veſſel, when and as often as a Pilot qualified and authoriſed in Manner as aforeſaid, ſhall not be ready at *Sandy-Hook*, or at the Port of *New-York*, to take upon him the Charge of piloting ſuch Ship or Veſſel, ſo requiring a Pilot, as Occaſion may happen: *Provided alſo*, That all Maſters or Commanders of Ships or other Veſſels, bound into, or out of the Port aforeſaid, who ſhall judge him or themſelves capable of piloting the Ship or Veſſel under his or their Command, ſhall and may take that Charge upon him or themſelves, without being obliged to employ the Pilot or Pilots authoriſed as aforeſaid, or their Deputies, or without being liable to the Forfeiture above mentioned.

This Act to be eſteemed a publick Act.

VIII. **And be it Enacted** *by the Authority aforeſaid,* That this Act ſhall be deemed, taken and eſteemed a publick Act, and allowed and admitted as ſuch in all Courts of Record, and by all Juſtices of the Peace, and all other Officers within this Colony; and that the ſame ſhall be of Force from the Publication thereof, until the firſt Day of *October*, which will be in the Year of our Lord One Thouſand Seven Hundred and Thirty-ſix.

CHAP. DLXVI.

See Chap. 523. Repealed Chap. 664, and Expired 10th *November*, 1738.

An ACT *to continue an Act, entitled,* An *Act* to prevent Damages by Swine in the Precinct of *Tappan*, and ſome other Parts contiguous thereto, in the County of *Orange*. Paſs'd the 30th of September, 1731.

CHAP. DLXVII.

See Chap. 516. *The original Act is* repealed, *and this therefore* Obſolete.

An ACT *to explain Part of an Act, entitled,* An *Act* to repeal ſome Parts, and to continue and enforce other Parts of the Act therein mentioned; and for granting ſeveral Duties to his Majeſty, for ſupporting his Government in the Colony of *New-York*, from the firſt Day of *September*, One Thouſand Seven Hundred and Twenty-eight, to the firſt Day of *September*, which will be in the Year One Thouſand Seven Hundred and Thirty-three.

Paſs'd the 30th of September, 1731.

CHAP.

CHAP. DLXVIII.

5th *GEORGE* II. A. D. 1731. Expired the 1ſt of *Auguſt*, 1732.

An ACT *to ſupport the Troops at* Oſwego, *and to regulate the Indian Trade there.*
Paſs'd the 30th of September, 1731.

CHAP. DLXIX.

Obſolete.

An ACT *for fortifying the City of* Albany.
Paſs'd the 30th of September, 1731.

CHAP. DLXX.

Private.

An ACT *to inlarge and releaſe* Andrew Law, *jun. upon ſurrendering of his Eſtate in the Manner, and for the Uſes therein mentioned.*
Paſs'd the 30th of September, 1731.

CHAP. DLXXI.

Obſolete.

An ACT *to impower* Samuel Baker, *and others, to employ proper Perſons for the Service of this Colony, at the Court or in the Parliament of* Great-Britain.
Paſs'd the 30th of September, 1731.

WILLIAM COSBY, Eſq; Governor.

6th *GEORGE* II. A. D. 1732.

CHAP. DLXXII.

See Chap. 564. Continued by Chap. 597.

An ACT *for the further continuing an Act, entitled,* An *Act* to let to farm the Exciſe of ſtrong Liquors retailed in this Colony for the Time therein mentioned, and for declaring Shrub liable to the ſame Duties as diſtilled Liquors.
Paſs'd the 14th of October, 1732.

CHAP. DLXXIII.

See Chap. 563. Continued by Chap. 598.

An ACT *for the further Continuance of an Act, entitled,* An *Act* for ſettling and regulating the Militia in this Province, and making the ſame uſeful for the Security and Defence thereof, and for repealing all other Acts relating to the ſame, during the Time therein mentioned.
Paſs'd the 14th of October, 1732.

CHAP. DLXXIV.

Continued, Ch. 682.

An ACT *to prevent the Deſtruction of Sheep by Dogs.*
Paſs'd the 14th of October, 1732.

CHAP. DLXXV.

Continued and amended by Chap. 686.

An ACT *for the better clearing, regulating, and further laying out publick Highways in the County of* Suffolk.
Paſs'd the 14th of October, 1732.

Preamble.

ALTHO' all or moſt of the Highways or common Roads, are already laid out and aſcertained in the ſaid County, it may nevertheleſs be neceſſary to lay out other publick Highways or Roads, in the ſaid County, for the Conveniency of Carriage and Travellers;

I. Be

6th *GEORGE* II. A. D. 1732.

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after the Publication, and during the Continuance of this Act, the Perſons herein after-named, ſhall be, and hereby are appointed Commiſſioners, to regulate the Highways or Roads, and to lay out ſuch other publick Roads as may ſtill be neceſſary, within the ſaid County; and they and each of them are hereby fully authoriſed and impowered to put in Execution the ſeveral Services intended by this Act, in ſuch Towns and Places only, for which they ſhall be reſpectively named and appointed, *that is to ſay*; For the Townſhip of *Southhampton*, *Theophilus Howell*, Eſq; Mr. *John Poſt*, and Mr. *Chriſtopher Forſter*: For the Townſhip of *Eaſthampton*, Capt. *Cornelius Concklin*, Capt. *Matthias Burnett*, and *Thomas Chatfield*, Eſqrs. For the Townſhip of *Southold*, *Nathaniel Warner*, Eſq; Mr. *Samuel Landon*, and Mr. *Daniel Tuthill*: For the Townſhip of *Brookhaven*, *Richard Floyd*, Eſq; Mr. *Samuel Thompſon*, and Mr. *Richard Woodhall*: For the Townſhip of *Smith-town*, *Jonathan Smith*, Eſq; *Edmond Smith*, Eſq; and Mr. *Obadiah Smith*: For the Townſhip of *Huntingdon*, *John Wickes*, Eſq; *Alexander Bryan*, Eſq; and Mr. *Philip Ketcham*: And, for the Precinct of *Iſlip*, *George Philipſe*, Eſq; Mr. *Richard Willits*, and Mr. *Ananias Karle*.

Names of the Commiſſioners appointed to lay out and regulate Highways.

II. **And be it Enacted** *by the Authority aforeſaid*, That the Commiſſioners, or the major Part of them, in their reſpective Places for which they are named and appointed Commiſſioners, are hereby impowered and authoriſed to take a Review of the Roads already laid out; and ſuch of them as appear to be really inconvenient, the Commiſſioners, or any Two of them, ſhall or may alter the ſame, and lay out ſuch other publick Ways or Roads, as they ſhall think moſt convenient, as well for Travellers, as for the Inhabitants of every reſpective Town, and the next adjacent Town and Village. *Provided*, that nothing in this Act contained, ſhall extend or be conſtrued to impower the Commiſſioners aforeſaid, to alter any Roads that are already commodious, nor to lay out any Roads or Ways through or on any particular Perſon or Perſons Lands, without either the Conſent of the Owner or Owners thereof, or paying to him, her, or them, the true Value of the Land ſo laid out into an Highway or Road, together with the Damages he, ſhe, or they ſhall or may ſuſtain by ſuch Highway or Road, running, or being laid out through, or on his, her or their Land; and if any Diſpute ſhall ariſe by that Means, the ſame ſhall be determined, and the true Value of ſuch Land and Damage, as aforeſaid, ſet and appraiſed by two Juſtices of the Peace of the ſaid County, and by the Oaths of twelve of the principal Freeholders of the Town where ſuch Diſpute ſhall happen, not having any Intereſt in the Land about which ſuch Diſputes may ariſe; the ſaid Freeholders to be ſummoned by the Conſtable of the Town or Precinct where ſuch Diſputes ſhall ariſe, by Virtue of a Warrant to be iſſued by the ſaid two Juſtices, for that Purpoſe; and the Perſon or Perſons as ſhall deſire a Road through or on any particular Perſon's Land, ſhall defray the whole Charges of the Value of the ſaid Land, and Damages, to be paid to the Perſon or Perſons injured, and through or on whoſe Lands ſuch Road ſhall be laid, together with the Wages of the Commiſſioners Charges for calling the Jury, and of their Verdict, and of the whole Proceedings thereon had; and ſuch Way or Road, to be for the only proper Uſe of ſuch Perſon or Perſons, or to his or their Heirs and Aſſigns as paid for the ſame; and the Perſon purchaſing a Way, as aboveſaid, is to repair the ſame at his own Coſt.

The Duty of ſaid Commiſſioners.

Diſputes about Roads how to be decided.

III. **And be it further Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons within the ſaid County, do, or hereafter ſhall alter, ſtop up, or leſſen any Highway or Road, that has been heretofore laid out by former Commiſſioners, according to Law, or ſhall hereafter be laid out by the Commiſſioners named in this Act; ſuch Perſons ſo offending, contrary to the Meaning of this

Penalty for altering or ſtopping up Highways.

this Act, for every such Offence shall forfeit the Sum of *Forty Shillings*, to be recovered before any one Justice of the Peace of the said County, upon the Oath of one credible Witness, and levied by Warrant from said Justice of the Peace, directed to the Constable of the Town or Place where such Offence is committed, by destraining the Goods and Chattels of the Offender; and the Constable, after six Days publick Notice is given by him, of the selling the said Distress, shall make Sale thereof, and out of the Produce, pay the said Forfeiture and Charges, and return the Overplus, if any there be, to the Owner or Owners thereof; which said Forfeiture of *Forty Shillings*, shall be applied, by the Surveyors of the Highways, for and towards repairing the publick Roads or Highways, within the Town or Precinct where such Forfeiture shall arise.

IV. **And be it further Enacted** *by the Authority aforesaid*, That if any Road or Way shall be laid out through any particular Person's Land or Meadow, it shall not exceed the Breadth of twenty Foot,

The Breadth of a Road.

V. **And be it further Enacted** *by the same Authority*, That the Inhabitants of the Town and Precinct, by and through whose Lands any common Roads or Highways have, or shall run, or be hereafter ascertained or laid out, are hereby obliged to clear and maintain the same, by cutting and stubbing the Brush, pulling up the Stones that can be carried off the Breadth of a Rod, and the Limbs of Trees hanging over the said Roads, to be lopt and carried off; and so often as they shall have Notice, from the respective Commissioners or Overseers of the Highways, for the Time being, shall, by themselves or Servants, clear, level, and amend the Highways, not exceeding six Days in the Year, under the Penalty of *Three Shillings* for each Day every Person shall neglect or refuse such Service; to be levied by the Constable in each Town or Precinct, by Distress and Sale of the Offender's Goods and Chattels, by Warrant from the Commissioners or Overseers of the Highways for the Time being, in every Town and Precinct in the said County, or the major Part of them respectively, returning the Overplus to the Owner or Owners, the Charges being first paid, as is common in other Cases.

Roads or Highways to be amended, and how.

VI. **And be it also Enacted** *by the same Authority*, That where any Highway from any Town or Plantation, to any Meadows, Mills, watering or common Landing Places, shall run through any particular Person's Ground, it shall and may be lawful for such Person or Persons, by the Approbation of the Commissioners of such Town, to place and hang good Swinging-Gates in such Highways, and keep them in good Repair, at their own proper Cost and Charge; *Provided*, No Roads leading into, or out of any Woods, Plains or Commons, where the Cattle belonging to any Town or Village usually pass to and from the Commons or feeding Ground, be clogg'd or hindred by any Swinging-Gates, as aforesaid, but by the Consent of the Inhabitants of the said Town or Village, or the major Part of them: And the several Gates already standing and allow'd, may or shall be approved and continued, or altered, as the Commissioners herein appointed shall judge most convenient.

How and where Swinging Gates may be set up.

VII. **And be it further Enacted** *by the same Authority*, That if the Overseers of the Roads or Highways, shall think fit, or have Occasion of any Team, Cart or Plow, and a Man to manage the same, the said Team, with Cart or Plow, shall be esteemed to be for and in lieu of two Days Work of a single Man, and the Fine to be proportionable, that is, double to the Fine to be imposed for the Neglect of a single Person; and every working Man shall be obliged to bring such Materials, as Spades, Axes, and other Utensils, as shall be directed by the Surveyors or Overseers of the Highways.

Team, Cart or Plow, and a Man to manage them, equal to two Days Work of a single Man.

6th *GEORGE* II. A. D. 1732.

If Commiſſioners neglect their Duty or remove, others to be appointed.

VIII. **And be it further Enacted** *by the ſaid Authority*, That if any of the Commiſſioners herein appointed, ſhall neglect, refuſe or delay, to put the ſeveral Clauſes in Execution, which are mentioned and expreſs'd as their Duty in this Act, or ſhall happen to die, or remove out of the Town or Precinct for which he or they are appointed Commiſſioners; it ſhall and may be lawful for the Juſtices of the Peace in the ſaid County, or two of them, one of which being an Inhabitant of the Town where ſuch Neglect or Refuſal, as aboveſaid, ſhall ſo happen, to appoint in his or their Stead, other Commiſſioner or Commiſſioners in ſuch Place or Places where ſuch Refuſal, Neglect, Death or Removal ſhall ſo happen; and the Commiſſioner or Commiſſioners, ſo appointed, ſhall be under the ſame Reſtrictions, and have the ſame Power and Authority, as thoſe named and appointed by this Act.

Roads to be entred in the Town Book.

IX. **And be it further Enacted** *by the Authority aforeſaid*, That the Commiſſioners of each reſpective Town, in ſaid County, for which they are reſpectively appointed, ſhall, from time to time, during the Continuance of this Act, enter in Writing all the Highways or Roads by them laid out, alter'd or ſtopt up, and ſign the ſame, by putting their Names thereto, and cauſe the ſame to be enter'd in their Town-Book by the Clerk of each reſpective Town or Precinct, who is hereby to enter the ſame; and whatſoever the ſaid Commiſſioners ſhall do, according to the Powers given them in this Act, being ſo enter'd in the Town Book, ſhall be valid and good to all Intents and Purpoſes whatſoever.

Inhabitants to work on the Highways.

X. **And be it further Enacted** *by the ſame Authority*, That the Commiſſioners or Overſeers of the Highways ſhall warn and ſet to work, all the Inhabitants of the reſpective Towns and Precincts, from ſixteen to ſixty Years old, as well Slaves as Freemen, at leaſt two Days in every Year, during the Continuance of this Act, to mend the Highways which by Law they are obliged to repair.

Commiſſioners Wages.

Continuation of this Act.

XI. **And be it further Enacted** *by the Authority aforeſaid*, That each Commiſſioner appointed, or to be appointed by this Act, ſhall have and receive the Sum of *Three Shillings*, for every Day he is actually employed in laying-out the Highways or Roads in the reſpective Towns and Precinct for which they are ſeverally appointed; to be paid by each reſpective Town and Precinct, in the ſame Way and Manner as their other neceſſary Charges are paid, except where the Commiſſioners are paid by any particular Perſon or Perſons, as before expreſſed. This Act to continue in Force from the Publication thereof, until the firſt Day of *December*, which will be in the Year of our Lord One Thouſand Seven Hundred and Thirty-nine.

C H A P. DLXXVI.

See Chap. 549. Expired 1ſt of *December*, 1734. Provided for by Chap. 801.

An ACT *for reviving an Act, entitled*, An *Act* for the better clearing, regulating, and further laying out publick High-Roads in the County of *Weſtcheſter*.

Paſs'd the 14th of October, 1732.

C H A P. DLXXVII.

See Chap. 534. Continued by Chap. 632.

An ACT *for continuing an Act, entitled*, An *Act* for the better clearing, regulating, and further laying out publick High-Roads in the County of *Ulſter*.

Paſs'd the 14th of October, 1732.

C H A P. DLXXVIII.

Revived, and enlarged, Ch. 643.

An ACT *for the ſpeedy puniſhing and releaſing ſuch Perſons from Impriſonment, as ſhall commit any criminal Offences, under the Degree of Grand Larceny, in the ſeveral Counties therein mentioned.*

Paſs'd the 14th of October, 1732.

C H A P.

6th *GEORGE* II. A. D. 1732.

CHAP. DLXXIX.

An ACT *for reviving an Act, entitled,* An *Act* to prevent the setting on Fire, or burning the old Grass on *Hampstead-Plains*.

Pass'd the 14th of October, 1732.

See Chap. 482. Continued by Chap. 689.

CHAP. DLXXX.

An ACT *for reviving an Act, entitled,* An *Act* to prevent Desertion from his Majesty's Forces in the Province of *New-York*, and for providing Remedies for that Purpose, in Cases not provided for in the said Act.

Pass'd the 14th of October, 1732.

See Chap. 531. Expired 1st of *December*, 1733. Provided for by Chap. 618.

CHAP. DLXXXI.

An ACT *for continuing an Act, entitled,* An *Act* for the better clearing, regulating, and further laying-out publick Highways in *Kings* County, *Queens* County, *Richmond* County, and *Orange* County.

Pass'd the 14th of October, 1732.

See Chap. 555. Continued by Ch. 688.

CHAP. DLXXXII.

An ACT *for reviving an Act, entitled,* An *Act* for the better clearing, regulating, and further laying-out publick Highways in *Dutchess* County, and for altering some of the Commissioners in the Neighbourhood of *Wysack*, called *Dover*.

Pass'd the 14th of October, 1732.

See Chap. 519. Expired the 1st *December*, 1736. Provided for by Chap. 780.

CHAP. DLXXXIII.

An ACT *to encourage the destroying of Wolves in the County of* Albany, Ulster *County*, Orange *County*, Dutchess *County, and the County of* Westchester.

Pass'd the 14th of October, 1732.

Expir'd 1st of *December*, 1739. For destroying Wolves in *Albany*, provided for Chap. 890. and *Ulster*, *Orange* and *Dutchess*, by Chap. 736. and see Provision for *Westchester*, Chap. 319. *ante*.

CHAP. DLXXXIV.

An ACT *for confirming unto the City of* New-York *its Rights and Privileges.*

Pass'd the 14th of October, 1732.

I. **Be it Declared and Enacted** *by the Governor, the Council, and the General Assembly of the Colony of* New-York, *and it is hereby Enacted by the Authority of the same*, That the Mayor, Aldermen and Commonalty of the City of *New-York*, shall and may forever hereafter remain, continue, and be a Body Corporate and Politick, *In Re Facto et Nomine*, by the Name of, *The Mayor, Aldermen, and Commonalty of the City of* New-York; and by that Name to sue, plead, and be impleaded, and to answer, and be answered, without any Seisure or Fore-judger, for or upon any Pretence of any Forfeiture or Misdemeanor, at any Time heretofore done, committed or suffered.

The Mayor, Aldermen and Commonalty of the City of *New-York*, to be a Corporation, &c.

II. **And be it Enacted** *by the Authority aforesaid*, That all and singular Letters Patent, Grants, Charters, and Gifts, sealed under the Great Seal of the Colony of *New-York*, heretofore made and granted unto the Mayor, Aldermen and Commonalty of the City of *New-York*, be, and are hereby declared to be, and shall be good, valid, perfect, authentick and effectual in the Law, and shall stand and be taken, reputed, deemed, and adjudged good, perfect, sure, available, authentick and effectual in the Law, against the King's Majesty, his Heirs and Successors, and all and every Person and Persons whomsoever, according to the Tenor and Effect of the said Letters Patent, Grants, Charters and Gifts.

All Letters, Patents, &c. heretofore made to the said Mayor, &c. declared good and valid;

III. And

6th *GEORGE* II. A. D. 1732.

And are hereby confirmed.

III. **And be it Enacted** *by the Authority aforeſaid*, That all and ſingular the Letters Patent, Grants, Charters, and Gifts, ſealed under the Great Seal of the Colony of *New-York*, heretofore made and granted unto the Mayor, Aldermen and Commonalty of the City of *New-York*, be, and are, to all Intents and Purpoſes, hereby ratified and confirmed.

As alſo all their Rights, Privileges Franchiſes, *&c.*

IV. **And be it Enacted** *by the Authority aforeſaid*, That the Mayor, Aldermen and Commonalty of the City of *New-York*, and their Succeſſors, ſhall and may forever hereafter, peaceably have, hold, uſe and enjoy, all and every the Rights, Gifts, Charters, Grants, Powers, Liberties, Privileges, Franchiſes, Cuſtoms, Uſages, Conſtitutions, Immunities, Markets, Duties, Tolls, Lands, Tenements, Eſtates and Hereditaments, which have heretofore been given or granted unto the Mayor, Aldermen and Commonalty of the City of *New-York*, by any Letters Patent, Grant, Charter, or Gift, ſealed under the Seal of the Colony of *New-York*.

This Act to be taken as a general and publick Act.

V. **And be it Enacted** *by the Authority aforeſaid*, That this preſent Act ſhall be accepted, taken and reputed to be a general and publick Act of Aſſembly; of which all and every the Judges and Juſtices of this Colony, in all Courts, and all other Perſons, ſhall take Notice on all Occaſions whatſoever, as if it were a publick Act of Aſſembly relating to the whole Colony; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

CHAP. DLXXXV.

Expired the 1ſt *December*, 1734.

An ACT *for the Relief of ſuch inſolvent Debtors as ſhall be charged in Execution for Debts not exceeding* Forty Shillings, *and the Coſts of Suit, in the ſeveral Counties therein after mentioned.*

Paſs'd the 14th of October, 1732.

CHAP. DLXXXVI.

Private.

An ACT *for naturalizing* Maria Veldtman, Gertryde Veldtman, Hendrick Veldtman, Hans Veldtman, Johan Jacob Ell, Hero Ellis, Johannes Franciſcus Walter, *and* John Dewint. Paſs'd the 14th of October, 1732.

CHAP. DLXXXVII.

See Chap. 543. Expired the 1ſt *December*, 1737. Provided for by Chap. 691.

An ACT *for reviving an Act, entitled*, An *Act* for licenſing Hawkers and Pedlars within this Colony, and for paying the Sum of *Sixty Pounds* unto *Richard Bradley*, Eſq; Paſs'd the 14th of October, 1732.

CHAP. DLXXXVIII.

Explained, *&c.* Chap. 608. Obſolete.

An ACT *to enable the Juſtices of the Peace in* Ulſter *County, to build a Court-Houſe and Goal for the ſaid County, and to enable them to diſpoſe of the old County Houſe and Goal, and the Lot of Ground it ſtands on, and to enjoin the Superviſors to raiſe the Charge of executing the Negro therein mentioned.*

Paſs'd the 14th of October, 1732.

CHAP. DLXXXIX.

Private.

An ACT *to revive and enforce Part of an Act, entitled*, An *Act* to enlarge and releaſe *Andrew Law*, jun. upon ſurrendering his Eſtate in the Manner, and for the Uſe therein mentioned. Paſs'd the 14th of October, 1732.

CHAP

6th GEORGE II. A. D. 1732.

CHAP. DXC.

An ACT *for the ſpeedy puniſhing and releaſing ſuch Perſons from Impriſonment as ſhall commit any criminal Offences in the City of* New-York, *under the Degree of* Grand Larceny. Paſs'd the 14th of October, 1732.

Reviv'd, Ch. 635.

CHAP. DCXI.

An ACT *to repeal the* **Act, and to cancel the Bills of Credit therein mentioned, and to grant unto his Majeſty ſeveral Duties for ſupporting his Government in the Colony of* New-York, *until the firſt Day of* September, *which will be in the Year of our Lord One Thouſand Seven Hundred and Thirty-ſeven.*

Paſs'd the 14th of October, 1732.

* Chap. 516. Expired the 1ſt *September*, 1737.

CHAP. DCXII.

An ACT *to diſcharge the ſeveral Demands on the Trading-Houſe at* Oſwego, *to ſupport his Majeſty's Troops poſted there; to regulate the Indian Trade; to prevent Abuſes in the ſame, and for other Purpoſes therein contained.*

Paſs'd the 14th of October, 1732.

Continued by Chap. 630.

CHAP. DXCIII.

An ACT *to regulate the Ferry between the City of* New-York *and the Iſland of* Naſſau, *and to eſtabliſh the Ferriage thereof.*

Paſs'd the 14th of October, 1732.

Preamble.

WHEREAS the Rates and Prices of the Ferriage, for Men, Horſes, Cattle, Grain, and all other Goods tranſported over the Ferry between the City of *New-York* and the Iſland of *Naſſau*, were heretofore regulated by the Mayor, Aldermen and Commonalty of the ſaid City, to whom that Ferry belongs; and for avoiding Diſputes, the aforeſaid Ferriage was afterwards eſtabliſhed for the Term of ſeven Years, by an Act of the General Aſſembly of this Colony, entitled, † *An* Act *for regulating the Ferry between the City of* New-York *and the Iſland of* Naſſau; paſſed in the fourth Year of his late Majeſty's Reign; and the ſame having been generally approved of, was by another ‡ Act paſſed in the twelfth Year of his ſaid Majeſty's Reign, revived; and by another § Act paſſed in the firſt Year of his preſent Majeſty's Reign, continued until the twelfth Day of *June*, which will be in the Year of our Lord One Thouſand Seven Hundred and Thirty-three; as in and by the ſaid Acts, Relation being thereunto had, may more at large appear. AND Whereas the Rates and Prices of the Ferriage aforeſaid are ſtill well approved of, and allowed to be reaſonable and moderate:

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from the ſaid twelfth Day of *June* next enſuing, and at all Times thereafter, the Ferriage for tranſporting Men, Women, Horſes, Cattle, Grain, and all manner of Goods, Wares and Merchandizes over the ſaid Ferry, either forward or backward, ſhall be, and hereby are eſtabliſhed, to be and remain after the Rates and Prices following, *That is to ſay:*

† Chap. 343. ‡ Chap. 475. § Chap. 503.

6th *GEORGE* II. A. D. 1732.

For Tranſporting every Perſon from the City of *New-York* to the Iſland of *Naſſau*, or from the Iſland of *Naſſau* to the City of *New-York*, Ten Grains of *Sevil*, *Pillar* or *Mexico* Plate, or *Two-pence* in Bills of Credit made current in this Colony; and if after Sun-ſet, double that Rate, unleſs a Neglect or Refuſal in the Ferry-man to tranſport Paſſengers over ſooner. *Always provided*, That a Sucking-Child, or ſome Remnants of Goods, or other ſmall Goods (not herein-after rated) which a Woman carries in her Apron, or a Man or Boy under his Arm, ſhall be free from Ferriage.

The Ferriage for tranſporting over the Ferry eſtabliſhed.

For every Horſe or Beaſt, *One Shilling* in like Money.
For every live Calf or Hog, *Four pence* in like Money.
For every live Sheep or Lamb, *Three pence* in like Money.
For every dead Hog, *Three pence* in like Money.
For every dead Sheep, Lamb or Calf, *Two pence* in like Money.
For every Barrel of Rum, Sugar, Mollaſſes, or other full Barrel, *Eight pence* in like Money.
For every empty Barrel, *Three pence* in like Money.
For every empty Pipe or Hogſhead, *Nine pence* in like Money.
For every Beaſt's Hide, *Three pence* in like Money.
For every undreſſed Calf, Sheep or Deer Skin, *One penny* in like Money.
For every Pail of Butter, *One penny* in like Money.
For every Firkin or Tub of Butter, *Two pence* in like Money.
For every Buſhel of Salt, Wheat, Grain, Seeds, or any other Thing uſually meaſured, and ſold by the Buſhel, *One half-penny* in like Money.
For every full Pipe or full Hogſhead, *Four Shillings* in like Money,
For every Inch Board, *One penny* in like Money.
For every Board of one Inch and an Half, *One penny half-penny* in like Money.
For every Waggon, *Five Shillings* in like Money.
For every Pair of Cart-Wheels, *Eighteen pence* in like Money.
For every Cupboard, Preſs for Cloaths, or Writing Deſk, *Three Shillings* in like Money.
For every full Trunk or Cheſt, *One Shilling* in like Money.
For every empty Trunk or Cheſt, *Nine pence* in like Money.
For every Half Barrel of Flour, or any other full Half Barrel, *Three pence* in like Money.
For every Barrel of Bread, *Six pence* in like Money.
For every Bag of Bread, *One penny half-penny* in like Money.
For every Gammon of Bacon, Turkey or Gooſe, *One half-penny* in like Money.
For every Hundred of Eggs, *three Eggs*; and ſo in Proportion for a greater or leſſer Number.
For every Dunghill Fowl, Brant, Duck, Heath-Hen or Rabbit, *One farthing* in like Money.
For every Dozen of Pigeons, Quails or Snipes, *One penny* in like Money.
For every Dozen of ſmaller Birds, *One half-penny* in like Money.
For every Hundred Weight of Iron, Steel, Shot, Pewter or Lead, and of Iron, Copper or Braſs Kettles or Pots, *Six pence* in like Money; and ſo in that Proportion for a greater or leſſer Quantity.
For every Hundred Weight of Gun-Powder, *One Shilling* in like Money.
For every Sythe or Sith, *One half-penny* in like Money.
For every Firkin of Soap, *Two pence* in like Money.
For every Cheeſe, *One half-penny* in like Money.
For every Corn-Fan, *Three pence* in like Money.
For every Hundred of Shingles, *Six pence* in like Money.
For every Cedar-Bolt, *One penny* in like Money.
For every common Bag of Cotton-Wool, *One penny* in like Money.
For every Bale of Cotton-Wool or Hops, *Eighteen pence* in like Money.
For every Coach, *Six Shillings* in like Money.
For every Chaiſe, *Three Shillings* in like Money.

For

For every ſingle Sleigh, *Eighteen pence* in like Money.
For every double Sleigh, *Two Shillings* in like Money.
For every Piece of Ozenbrigs, *Two pence* in like Money.
For every Piece of Blankets or Duffils, *Eighteen pence* in like Money:
For every Piece of Cotton, Penniſtone, Flannel or Frize, *Four pence* in like Money:
For every Piece of Broad-cloth, Kerſey, Strouds, Halfthicks and Druggets, *Three pence* in like Money.
For every Piece of Wadding, *Two pence* in like Money.
For every Piece of Duroys, Calamincos, Shalloons, or other Stuff, and for every Piece of Garlix, Holland, or other Linnen, *One penny* in like Money,
For every empty Firkin or Pail, *One half-penny* in like Money.
For every Side of Sole-Leather, *Two pence* in like Money.
For every Side of Upper-Leather, *One penny* in like Money.
For every Hundred Weight of Beaver, Raccoon's Skins, or Coats, *Nine pence* in like Money; and ſo in Proportion for a greater or leſſer Quantity.
For every half Dozen of Hats, *One penny half-penny* in like Money.
For every Dozen of Fiſh, called Sheeps-head, *Two pence* in like Money.
For every Hundred Weight of Dying-Wood, *Eight pence* in like Money; and ſo in Proportion for a greater or leſſer Quantity.
For every Hundred Weight of Copperas, Allom or Brimſtone, *Six pence* in like Money; and ſo in Proportion for a greater or leſſer Quantity.
For every Chair, *One penny* in like Money.
For every half Dozen Pair of Wool-Cards, *One penny* in like Money.
For every Saddle without a Horſe, *Two pence* in like Money.
For every Rugg, *One penny* in like Money.
For every Gun, *One penny* in like Money.
For every Spade, *One half-penny* in like Money.
For every Caſe with Bottles, *Three pence* in like Money.
For every Looking-Glaſs of two Foot high and upwards, *Four pence* in like Money.
For every Looking-Glaſs of one Foot high, *Two pence* in like Money.
For every Hundred Weight of Rice, *Two pence* in like Money; and ſo in Proportion for a greater or leſſer Quantity.
For every Warming-Pan, *One penny half-penny* in like Money.
For every Frying-Pan, *One half-penny* in like Money.

II. **And be it further Enacted** *by the Authority aforeſaid*, That all other Merchandize, Goods, Commodities and Things whatſoever, not enumerated and ſpecified in this Act, ſhall pay for the Ferriage and Tranſportation thereof, from *New-York* to *Naſſau* Iſland, or from *Naſſau* Iſland to *New-York*, in Proportion to the Rates above ſpecified and enumerated, for a greater or leſſer Weight or Quantity, and not otherwiſe: And in Caſe any Perſon or Perſons whatſoever, ſhall refuſe hereafter to pay the Rates and Prices of Ferriage, before mentioned, to the Ferry-man for the Time being, purſuant to the Regulation made in this Act; he, ſhe or they, ſo refuſing, ſhall forfeit and pay Treble the Rate to which he, ſhe or they, were liable by Virtue of this Act, together with the Charges of recovering the ſame, upon the Oath of one or more credible Witneſs, before any of his Majeſty's Juſtices of the Peace within this Colony; who are hereby authorized and required to adminiſter the ſaid Oath, and to give Judgment, and award Execution accordingly: And if any Diſpute ſhall happen to ariſe hereafter, concerning the Rates and Prices of Ferriage for any Goods or Commodities not expreſſed, and particularly enumerated in this Act, and the Matter be brought before ſome one of his Majeſty's Juſtices of the Peace, by the contending Parties; the ſaid Juſtice of the Peace is hereby authorized and required, to hear and determine the ſame, ſo as to him ſhall appear to be conformable to the true Intent and Meaning of this Act, and to award Coſts againſt the Perſon in Default.

Penalty on ſuch as refuſe to pay Ferriage.

III. **And**

6th *GEORGE* II. A. D. 1732.

III. **And be it further Enacted** *by the Authority aforesaid*, That if the Ferry-man of the said Ferry between *New-York* and *Nassau* Island, shall neglect or refuse to come and go with the Ferry-Boats, to and from such Place or Places in the City of *New-York*, as now are, or hereafter, from time to time, shall be appointed and prescribed unto him for Landing-Places, by the Mayor, Aldermen and Commonalty of the said City, (Wind and Weather permitting) shall, for every such Offence, forfeit the Sum of *Twenty Shillings*; to be recovered in Manner as aforesaid, and paid to the Treasurer of the said City, for the Time being, to be applied towards the defraying the publick Charges of the same: And if from and after the Publication of this Act, the Ferry-man for the Time being, his Servant or Servants, shall demand, impose, exact and take, any greater, or other Rates, for transporting of Persons, Goods, Wares, Merchandize, or other Things whatsoever, over the said Ferry, than is herein before limited, appointed and established; he or they, or any of them, so offending in the Premisses, shall forfeit and pay for every such Offence, the Sum of *Twenty Shillings*; one Moiety thereof to the Party grieved, or other Person who shall prosecute and sue for the same; and the other Moiety thereof to the Treasurer of the said City for the Time being, to be applied and recovered in Manner and Form as aforesaid.

Penalty on the Ferry-man for not landing at the Place appointed.

Penalty on the Ferry-man for taking more than allowed by this Act.

IV. **And be it further Enacted** *by the same Authority*, That it shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of *New-York*, for the Time being, their Successors and Assigns, to demand, receive and take the Rates and Prices above in this Act mentioned, for transporting of Persons, Goods, Wares, Merchandizes and other Things, from the City of *New-York* to the Island of *Nassau*, and from the Island *Nassau* to the City of *New-York*, over the Ferry, in the Ferry-Boats; and shall and may establish and keep one or more Ferries between the said City of *New-York* and the Island *Nassau*, for the better and more easy Transportation of Goods and Passengers over the said Ferry: *Always provided*, That there shall be and remain one constant Ferry from the present Ferry on *Nassau-Island* to the City of *New-York*, at some convenient Landing-place in the said City, to the Eastward of the Slip commonly called *Wall-Street Slip*, or *Clark's Slip*, including the said Slip.

Lawful for the Mayor and Aldermen to set up more than one Ferry.

V. **And be it further Enacted** *by the Authority aforesaid*, That the Ferry-man for the Time being, shall not impose, exact, demand, or receive, any Rates or Ferriages for any Goods or Things whatsoever, transported by any of the Inhabitants living alongst the River, at and near the Ferry on *Nassau-Island*, in their own Boats or Canoes; *That is to say*, Between the Places commonly called and known by the Names of *Kyck-out* and *Red-Hook*, provided the said Goods and Commodities be properly their own, and not belonging to any other Person or Persons whomsoever: But in Case any such Inhabitant, under Colour or Pretence of transporting his or her own Goods *only*, shall transport and carry, or bring over the said Ferry, the Goods of any other Person or Persons, of what Kind soever, for Hire, Reward, or without, and thereof be convicted before any of his Majesty's Justices of the Peace, by the Oath of one or more credible Witness (which Justices are hereby authorised and required to administer such Oath, and to give Judgment, and award Execution) such Inhabitant or Person so offending, shall forfeit and pay to the Ferry-man of the aforesaid Ferry, for the Time being, the Sum of *Twenty Shillings*, current Money of this Colony, with Costs of Suit.

Persons by the Water Side may transport their own Goods in their own Boats.

VI. And forasmuch as the Mayor, Aldermen and Commonalty of the City of *New-York*, have been, for many Years past, and still are, legally and solely seized of the Ferry aforesaid; and that they have, at their own great Cost and Charge, not only purchased Lands on *Nassau-Island*, at the Place where the said

6th *GEORGE* II. A. D. 1732.

said Ferry has always been kept, but likewise erected there Houses, Stables, and a Pen, for the Accommodation of Travellers, Passengers, Drovers, Horses and Cattle, and a convenient Bridge or Landing for Boats to come at and go off from; **Be it therefore Enacted** *by the Authority aforesaid*, That no other Person or Persons whomsoever, other than the said Mayor, Aldermen and Commonalty of the City of *New-York*, their Successors and Assigns, shall presume to erect and keep a Ferry between the City of *New-York* and *Nassau-Island*, for carrying or bringing of any Passengers, Horses, Cattle, Hogs, Sheep, Goods, Wares, Merchandize, or other Commodities or Things whatsoever, over the said Ferry, hereby rated and established, for any Hire, Wages or Reward whatsoever, or without, under the Penalty of *Fifty Pounds* for every such Offence, with full Costs of Suit; one Moiety thereof to his Majesty, his Heirs and Successors, towards the Support of his Government in this Colony, and the other Moiety thereof to such Person or Persons as shall prosecute and sue for the same to Effect, in any Court of Record within the said Colony, wherein no Essoyn, Protection or Wager of Law, or more than one Imparlance shall be allowed.

No other Person than the Corporation, to keep a Ferry between *New-York* and *Nassau-Island*.

The Penalty.

VII. **And be it further Enacted** *by the Authority aforesaid*, That the Ferrymen for the Time being, shall be obliged to paste upon a Board, and hang up in the Porch of the Ferry-House, or at the most publick Place there, fairly in writing, or printed, a Table of the Rates and Prices of the Ferriage, as the same are hereby established; and that in Default thereof, the Ferry-man for the Time being, shall forfeit and pay, for every Day he shall refuse, omit or neglect, to hang up such Table of Rates and Prices of Ferriage in Manner as aforesaid, the Sum of *Twenty Shillings*, to any Person or Persons who shall sue and prosecute for the same, before any of his Majesty's Justices of the Peace; who are hereby authorized to hear and determine the same, and upon Conviction of the Offence, to award Judgment and Execution accordingly.

The Ferry-man to hang up a Table of the Rates of the Ferriage.

The Forfeiture for neglecting the same.

VIII. **And be it further Enacted**, That this Act shall be deemed and taken to be a publick Act, and all Judges and Justices are hereby obliged to take Notice of it as such, without special pleading the same.

This Act to be deemed a publick Act.

CHAP. DXCIV.

An ACT *to encourage a Publick School in the City of* New-York, *for teaching Latin, Greek and Mathematicks.*

Pass'd the 14th of October, 1732.

Obsolete.

CHAP. DXCV.

7th *GEORGE* II. A. D. 1733.

An ACT *for the further continuing an Act, entitled,* An *Act* for the Encouragement of Whaling.

Pass'd the 1st of November, 1733.

See Chap. 474. Reviv'd, Ch. 681.

CHAP. DXCVI.

An ACT *for the further continuing an Act, entitled,* An *Act* for encouraging the returning of Neat Cattle and Sheep to their Owners.

Pass'd the 1st of November, 1733.

See Chap. 472. Expired the 1st *December*, 1740. Provided for by Chap. 726.

CHAP. DXCVII.

An ACT *for the further continuing an Act, entitled,* An *Act* to let to farm the Excise of strong Liquors retailed in this Colony for the Time therein mentioned, and for declaring Shrub liable to the same Duties as distilled Liquors.

Pass'd the 1st of November, 1733.

See Chap. 572. Continued, Ch. 613.

7th GEORGE II. A. D. 1733.

CHAP. DXCVIII.

An ACT *for the further Continuance of an Act, entitled,* An *Act* for ſettling and regulating the Militia in this Province, and making the ſame uſeful for the Security and Defence thereof, and for repealing all other Acts relating to the ſame; as likewiſe the ſeveral Acts whereby the ſame has been revived and continued.

See Chap. 573. Continued by Chap. 617.

Paſs'd the 1ſt of November, 1733.

CHAP. DXCIX.

Reviv'd Ch. 692.

An ACT *to prevent the penning and folding of Sheep, and Neat Cattle, feeding on* Hampſtead *Plains.*

Paſs'd the 1ſt of November, 1733.

Preamble.

WHEREAS that large Tract of Land or Common lying and being in *Queens-County*, upon *Naſſau-Iſland*, belonging chiefly to the Townſhip of *Hampſtead* and *Oyſterbay*, commonly called and known by the Name of *Hampſtead-Plains*, hath for a long Time paſt been, and ſtill is, uſed and enjoyed by the Freeholders and Inhabitants of the ſaid Townſhip, as a common Paſture, for the maintaining and paſturing of the Sheep and Cattle, to the great Support, Benefit and Advantage of the ſeveral Inhabitants: AND Whereas the ſaid Freeholders and Inhabitants have for a long Time, practiſed to pen up and fold the ſaid Sheep and Cattle; by which Means great Numbers of them have been abuſed and periſhed, by being drove, over-heated and pen'd up: For Remedy whereof, the Freeholders and Inhabitants of the ſaid Townſhip, pray it may be Enacted;

Any Perſon driving together or penning up any Sheep or Cattle, ſhall forfeit 40 s. How to be recovered, and applied.

I. **And it is hereby Enacted** *by the Governor, Council, and General Aſſembly, and be it Enacted by the Authority of the ſame,* That if any Perſon or Perſons whatſoever, after the Publication, and during the Continuance of this Act, on any Colour or Pretence whatſoever, ſhall drive together, pen up or fold any Sheep or Cattle, or put up any Fence to confine them, in any Incloſure whatſoever, ſhall, for every ſuch Offence, forfeit the Sum of *Forty Shillings*, current Money of this Colony; to be recovered before any of his Majeſty's Juſtices of the Peace for the ſaid County; who is hereby required to ſummons the ſaid Offender or Offenders, and to hear and determine the whole Matter, upon the Oath and Oaths of one or more credible Witneſſes; and one half of the Forfeitures ſhall be adjudged to any Perſon or Perſons that ſhall ſue for the ſame, and the other half of the ſaid Forfeitures to the Poor of the reſpective Town or Place where the Offence was committed.

Any Perſon driving up any Cattle or Sheep to ſeparate his own, and detaining them above two Hours, liable to the ſame Forfeiture.

II. **And be it further Enacted** *by the Authority aforeſaid,* That if any Perſon or Perſons that ſhall have Occaſion to drive up any of the ſaid Cattle or Sheep, to take out and ſeparate his own, for fatting, ſelling or killing, and ſhall take upon him to detain the ſaid Sheep or Cattle above the Space of two Hours in his Pen, for every ſuch Offence he ſhall be liable to the ſame Forfeitures as are before mentioned; to be recovered and applied as aforeſaid.

Any Juſtice refuſing to punish the Offenders, to forfeit £. 3. How to be recovered.

III. **And be it further Enacted** *by the Authority aforeſaid,* That if any Juſtice of the Peace, upon Complaint made, or upon their own Knowledge, ſhall refuſe to punish the ſaid Offender or Offenders, according to the true Meaning of this Act, ſhall forfeit for every ſuch Offence the full Sum of *Three Pounds*, current Money of this Colony; to be recovered by Action in the Court of Common-Pleas for *Queens-County*, and the Money to be applied as the other Forfeitures before mentioned; any Thing herein contained to the contrary notwithſtanding.

No Perſon debar'd from penning his own Sheep.

Always provided, That Nothing herein contained, ſhall be conſtrued to extend or debar any Perſon or Perſons from penning up their own Cattle, as often as they ſhall think fit.

Limitation of this Act.

This Act to be of Force from the Publication hereof, until the the firſt Day of *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Thirty-ſeven, and no longer.

CHAP.

CHAP. DC.

7th GEORGE II. A. D. 1733.

Confirmed by the *King*, the seventh *November*, 1734. See Chap. 79.

An ACT *to repeal Part of a Clauſe in the Act therein mentioned.*

Paſs'd the 1ſt of November, 1733.

Preamble.

WHEREAS by an Act of the General Aſſembly of this Colony, paſſed in the Year One Thouſand Six Hundred and Ninety-nine, entitled, *A Bill for the vacating, breaking and annulling ſeveral extravagant Grants of Land, made by Col.* Benjamin Fletcher, *late Governor of this Province under his Majeſty*; amongſt other Things, it was enacted, That it ſhould not be in the Power of any of his Majeſty's Governors, or Commanders in Chief, which ſhould thereafter be Governors, or Commanders in Chief of this Province, under his Majeſty, his Heirs and Succeſſors, to grant or demiſe, for any longer than for his Time in the Government, a certain Swamp and freſh Pond, called the *Freſh-Water*, and adjacent to the *King's-Farm*, formerly called the *Duke's-Farm*, on the Iſland *Manhattans*, beginning at a Stake ſet in the Ground, on the South Side of the ſaid Pond, and at the North-Eaſt Corner of the Land belonging to *William Merrit*; thence it rangeth along the South Side of the ſaid Swamp and Pond by the Upland, to the Beach on the Eaſt Side of *Hudſon's River*; ſo along the Beach to the Upland; thence croſſing a ſmall Gut of the ſaid Swamp to the Land on the Eaſt Side thereof; thence by the ſaid Land as it runs to the Eaſt Side of the Tan-yard, and thence to the Place where begun. And by the Act aforeſaid, the Swamp and Freſh-Water aforeſaid, amongſt other Things, are ſaid to be the Denizen of His Majeſty's Fort at *New-York*, and for the Benefit and Accommodation of His Majeſty's Governors and Commanders in Chief for the Time being; and by the ſaid Act it is further Enacted, That if any ſuch Grants or Demiſes for the future, ſhould be made longer than for the Time afore-mentioned; then all and every of ſuch Grants ſhould, *ipſo facto*, become null and void, and of no Uſe, to all Intents and Purpoſes whatſoever; any Law, Cuſtom or Uſage to the contrary thereof in any ways notwithſtanding. And in the ſaid Act was ſaved to the City of *New-York*, the Right they have to the *Freſh-Water*; as in and by the ſame may more at large appear: Which ſaid Act was intended to reſtrain the Governor or Commander in Chief for the Time being, from granting the ſaid recited Premiſes for any longer Time than his own Continuance in the Government. AND Whereas ever ſince the making of the ſaid Act, the ſaid Swamp has lain undrained, and of no Uſe to the Governors of this Colony for the Time being, and all along been a Nuiſance to the Inhabitants of the City of *New-York*, by the noiſom Vapours that ariſe thereout for want of clearing and draining: AND Whereas the Expence of clearing and draining thereof, will be ſo great, that no Governor, for the Benefit he can have of it in his own Time, will, in all Probability, ever go to that Charge; neither will any undertake to do it upon any ſuch Grant or Demiſe thereof as Governors are limited to make by the Act aforeſaid: And His Excellency the preſent Governor of this Colony, having ſignified, that he has no Objection to the Paſſing of an Act for the Purpoſe herein after mentioned:

I. Be it Enacted *by the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That ſo much, and no more, of a Clauſe in the Act aforeſaid, as concerns the ſaid Swamp, and the Reſtriction thereby enacted, to the Purpoſe above-mentioned, ſhall be, and hereby is repealed, made void and null, in as full and effectual a Manner, to all Intents, Conſtructions and Purpoſes whatſoever, as if ſuch Reſtriction in the ſaid Clauſe had never been enacted; any Miſ-recital of that Part of the ſaid Act to the contrary notwithſtanding. *Always* ſaving to all Bodies Politick and Corporate, and to all other Perſons whatever (except the ſaid Governor, and all other Governors and Commanders in Chief of this Colony for the Time being) their Right in and to the Premiſes, or any Part thereof; and particularly to the Mayor,

7th *GEORGE* II. A. D. 1733.

Mayor, Aldermen and Commonalty of the City of *New-York*, the Right they have to the *Freſh-Water*, and likewiſe to them, and to their Succeſſors, the Magazine or Powder-houſe adjoining to the ſame, and the *Nowel* or Hummock of Land it ſtands on, together with free and perpetual Egreſs and Regreſs to and from the ſame, over the Cauſey leading thereto.

CHAP. DCI.

Expired the 1ſt *December*, 1738.

An ACT *to preſerve the Breed of* Engliſh *Pheaſants in this Colony.*

Paſs'd the 1ſt of November, 1733.

CHAP. DCII.

Repealed by the King the 8th *Auguſt*, 1734.

An ACT *to impower the Veſtry of the Pariſh of* Jamaica, *in* Queens *County, to diſpoſe of* Sixty Pounds, *now in the Hands of the Church-Wardens of ſaid Pariſh, for the Uſe and Benefit of that Pariſh.*

Paſs'd the 1ſt of November, 1733.

8th *GEORGE* II. A. D. 1734.

The Fourteenth ASSEMBLY.

SECOND SESSIONS.

CHAP. DCIII.

An ACT *for granting to the People called* Quakers, *reſiding within this Colony, the ſame Privileges, Benefits and Indulgences, as by the Laws and Statutes now remaining in Force in that Part of* Great-Britain, *called* England, *the People of that Denomination are intitled unto within thoſe Dominions.*

Paſs'd the 22d of June, 1734.

† Chap. 14.

WHEREAS an Act of Aſſembly was made within this Colony, in the third Year of the Reign of their late Majeſties, King WILLIAM and Queen MARY, of glorious Memory, entitled, † *An* Act *to eaſe People that are ſcrupulous in Swearing*. And whereas ſeveral Statutes have been made by the Parliaments of that Part of *Great-Britain*, called *England*, in and ſince the Reign of his ſaid Majeſty, King WILLIAM the Third, in Eaſe and Favour of the Proteſtants, diſſenting from the Church of England, called Quakers, in order to remove the Difficulties which many of them laboured under, with Reſpect to their Scruples, in taking a ſolemn Oath; whereby People of that Perſuaſion have, from Time to Time, been indulged with particular Form or Forms of Affirmations or Declarations, to be made uſe of inſtead of an Oath; which Statutes have moſt of them been only temporary, and continued from Time to Time. And whereas an Act of Parliament was paſſed in *Great-Britain*, in the firſt Year of the Reign of his Majeſty King GEORGE the Firſt, of bleſſed Memory, whereby it was, (amongſt other Things) Enacted, *That the Affirmation or Declaration of the People called* Quakers (in the ſaid Act particularly ſpecified) *ſhould be adjudged and taken to be of the ſame Force and Effect, to all Intents and Purpoſes, in all Courts of Juſtice, and other Places, where by Law an Oath is required, within the Kingdom of* England, *Dominion of* Wales, *and Town of* Berwick *upon* Tweed, *as if ſuch Quaker had taken an Oath in the uſual Form:* By which laſt mentioned Act, another Act of the ſeventh and eighth Years of the Reign of King WILLIAM the Third, (made likewiſe in Favour of the People called Quakers) was made perpetual: In which ſaid recited Act of the firſt of King

8th GEORGE II. A. D. 1734.

King GEORGE the First, there was, among other Things, contain'd a Proviſo, *That ſo much of the ſame as related to the Affirmation to be made by the People called* Quakers, *ſhould be extended to the Plantations belonging to the Crown of* Great Britain, *for five Years, and to the End of the then next Seſſions of Parliament, after the ſaid five Years, and no longer.* And Whereas by an Act of Parliament made and paſſed in *Great Britain*, in the eighth Year of the Reign of his ſaid late Majeſty King GEORGE the First, entitled, *An* Act *for granting the People called* Quakers, *ſuch Forms of Affirmation or Declaration, as may remove the Difficulties which many of them lie under*; reciting (among other Things) the laſt mentioned Act; and further reciting, *That the Inconveniencies to the ſaid People called* Quakers, *and their Families, and to others requiring their Teſtimony, in many Caſes, were not ſufficiently avoided, by Reaſon of Difficulties among the ſaid* Quakers, *relating to the Forms of the Declaration, Affirmation and Abjuration in former Acts mentioned*, as the ſame were therein preſcribed: And further reciting, *That it was evident, that the ſaid People called* Quakers, *had not abuſed the Liberty and Indulgence allowed to them by Law*; and, *that they had given Teſtimony of their Fidelity and Affection to His Majeſty, and the Settlement of the Crown in the Proteſtant Line; and that it was reaſonable to give them further Eaſe and Relief*; it was therefore (among other Things) thereby Enacted, That *inſtead of the ſolemn Affirmation or Declaration, in the Form preſcribed by the before-mentioned Act of the ſeventh and eighth Years of the Reign of King* WILLIAM *the Third, every ſuch Quaker ſhall make the ſolemn Affirmation or Declaration in the Words following*, That is to ſay;

I *A.B.* DO SOLEMNLY, SINCERELY AND TRULY DECLARE AND AFFIRM.

AND Whereas the ſaid recited Act of Aſſembly of this Colony, hath been found by Experience, to be inſufficient for anſwering the Purpoſes thereby intended: And Whereas the People of this Colony are duly ſenſible of his Majeſty's moſt gracious Tenderneſs and Concern, for the Eaſe, Peace and Tranquility of all his loving Subjects; and that it is moſt agreeable to his Majeſty's Royal Intentions, that the Legiſlature of this Colony ſhould, in all their Laws and Proceedings, conform themſelves, as near as may be, to the Conſtitutions of *England*; and that therefore they cannot more effectually recommend themſelves to His Majeſty's Grace and Favour, than by imitating the Example of the Parliament of *Great Britain*:

I. **Be it therefore Enacted** *by his Excellency the Governor, Council and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the ſaid recited Act of Aſſembly ſhall from henceforth ſtand repealed, and is hereby repealed, and made null and void. Ch. 14, repealed.

II. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid recited Act of Parliament, of the eighth Year of the Reign of his Majeſty King GEORGE the First, and all and every the ſeveral Acts of Parliament heretofore made and paſſed in that Part of the Kingdom of *Great Britain*, called *England*, relating to the People called *Quakers*, and every Clauſe, Matter and Thing therein reſpectively contained, which now are and remain of Force within that Part of *Great Britain*, called *England*, ſhall from henceforth for ever hereafter, be deemed, reputed and taken to be of full Force and Effect within this Colony, to all Intents, Conſtructions and Purpoſes whatſoever; and that the ſaid People called *Quakers*, which now are, and hereafter ſhall be reſiding within this Colony, ſhall from henceforth forever hereafter, be intitled unto, have and enjoy, the ſame Exemptions, Benefits, Privileges and Indulgences, as by the Laws and Statutes of that Part of *Great Britain*, called *England*, the People of that Denomination are intitled unto; any Law or Uſage within this Colony, to the contrary thereof in any wiſe notwithſtanding.

The Statute of 8th *George* I. and all other Acts of Parliament relating to the People called *Quakers*, in Force in *England*, to be in Force in this Province.

III. AND

8th GEORGE II. A. D. 1734.

Every Perſon not having been publickly known to be a Quaker ſome Years before he is to take his Affirmation, ſhall produce a Certificate from the quarterly Meeting &c.

III. And to the End, that neither thoſe who in Reality are of the People called *Quakers*, may be deprived of the Indulgence aforeſaid, nor any Abuſes committed under Colour thereof; **Be it Provided and Enacted** *by the ſame Authority*, That all and every ſuch Perſon, as ſhall not publickly be known to have been one of the People called *Quakers*, for ſome Years before his or her Affirmation is to be adminiſtred to him or her, in any Court, or before any Juſtice of the Peace, or other Perſon qualified to adminiſter the ſame, ſhall not be admitted to make an Affirmation in Manner as aforeſaid; unleſs it appear by a Certificate from the Quarterly Meeting where ſuch Perſon ſhall dwell or reſide, ſigned by ſix or more of the principal People of ſuch Meeting, that ſuch Perſon has been deemed and allowed one of the People called *Quakers* for the Space of Twelve Months, or upwards, before he or ſhe is to make ſuch Affirmation as aforeſaid; any Thing herein, or any other Law or Uſage to the contrary notwithſtanding.

CHAP. DCIV.

An ACT *to prevent ſmall Stallions running at large in the Colony of* New-York, *and to geld ſuch as ſhall be under the Size therein mentioned.*

Perpetuated by Chap. 714.

Paſs'd the 22d of June, 1734.

Preamble.

WHEREAS a Breed of Horſes, whether for the Saddle or Draft, will be of great Benefit to the Inhabitants of this Colony, and which cannot be obtained while Stallions of ſmall Size are ſuffered to run at large; in order therefore, to prevent the ſame for the Future, and to procure a large and ſtrong Beed of Horſes:

Lawful for any Perſon to geld a Stone-Horſe running at large, of the Age of two Years and nine Months, and under the Size of 14 Hands; for which he ſhall be paid 20*s.* by the Owner, and on Refuſal of Payment, take the Horſe to himſelf.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly of this Colony, and it is hereby Enacted by the Authority of the ſame*, That it ſhall be lawful for any Perſon whatſoever, to geld any Stone-Horſe running at large in any unincloſed Grounds within this Colony, which ſhall be of the Age of two Years and nine Months, or upwards, and not being of the Heighth of Fourteen Hands, to be meaſured from the loweſt Part of the Hoof of the fore Foot, to the higheſt Part of the Wither, and each Hand to contain four Inches, *Engliſh* Meaſure; for which gelding and curing, upon delivering the Horſe ſafe and ſound to the Owner, who is hereby required to receive the ſame, he ſhall pay, or ſecure to be paid, in Thirty Days, unto the Gelder, the Sum of *Twenty Shillings*, for gelding and curing the ſaid Horſe; and in Caſe the Owner ſhall refuſe to pay or ſecure the Payment thereof, unto the Perſon gelding and curing the ſaid Horſe; that then and in ſuch Caſe, the Gelder ſhall take the ſaid Horſe to himſelf, and put his own Brand upon him, and uſe, ſell and diſpoſe of the ſame, as his own proper Goods and Chattels: And in Caſe the Owner ſue for ſuch Horſe, or Damages for gelding the ſame, the Gelder ſhall plead the General Iſſue, and give this Act in Evidence; and treble Coſts ſhall be allowed to ſuch Gelder.

The Horſes to be meaſured in the Preſence of a Juſtice of Peace.

II. And for preventing any Abuſes that may be committed under Colour of taking up and gelding of Horſes, in Manner aforeſaid; **Be it further Enacted** *by the ſame Authority*, That all and every Perſon or Perſons, that ſhall take up any Stone-Horſe or Horſes running at large, as aforeſaid, under the Size, and above the Age before mentioned; ſhall, before he preſumes to cut or geld the ſame, carry ſuch Horſe or Horſes to the next Juſtice of the Peace of that County, wherein ſuch Horſe or Horſes ſhall be taken up; and ſuch Horſe or Horſes ſhall be then and there meaſured, in Manner aforeſaid, in the Preſence of ſuch Juſtice of the Peace; and if the ſaid Juſtice ſhall approve and allow of ſuch Horſe or Horſes to be above the Age, and under the Size before mentioned, then

then such Horse or Horses shall and may be gelt, by such Person or Persons so taking up the same, in Manner as aforesaid. And if any Person or Persons (except the rightful Owner or Owners) shall presume to geld any Stone-Horse or Horses, not having the Approbation and Allowance of such Justice of the Peace, as aforesaid, or shall geld any Horse or Horses above the Size before mentioned; every such Person or Persons, shall suffer Imprisonment for the Space of one Month, without Bail or Mainprize, and forfeit to the Owner or Owners, treble the Value of such Horse or Horses; to be appraised by three indifferent Men of the Neighbourhood, and to be recovered by Action of Debt, Bill, Plaint, or Information, in any Court of Record within this Colony, wherein no Essoyn, Protection or Wager of Law, or any more than one Imparlance shall be allowed.

The Punishment and Fine for gelding Horses without the Approbation of the Justice, and above the Size aforesaid.

How to be recovered.

III. **And be it further Enacted** *by the Authority aforesaid*, That this Act shall be deemed, taken and esteemed a publick Act, and allowed and admitted as such in all Courts of Record, and by all Judges and Justices of the Peace, and all other Officers within this Colony: And that the same shall be of Force from the Publication thereof, until the first Day of *December*, which will be in the Year of our Lord Christ One Thousand Seven Hundred and Forty-one.

This Act to be esteemed a publick Act.

The Continuance of this Act.

CHAP. DCV.

An ACT *for naturalizing* Abraham Huisman, John Groudain, Jacob Ross, Frederick Becker, Johannes Vidderlin, Coonraadt Reght-Myer, Johannes Spaler, Zacharias Haber, Peter Craler, *and* Johannes Vanwyck.

Private.

Pass'd the 22d of June, 1734.

CHAP. DCVI.

An ACT *for regulating the Ruts of Waggons in* Dutchess *County.*

Pass'd the 22d of June, 1734.

I. **Be it Enacted** *by his Excellency the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same*, That after the first Day of *May*, which will be in the Year of our Lord One Thousand Seven Hundred and Thirty-five, all Waggons which shall be used in any of the Highways in *Dutchess* County, shall be so made, that the Space between the Rut or Track which they shall make, shall be, from the Outside of the Wheel to the Outside of the other Wheel, four Feet and ten Inches, English Measure, and no more or no less, upon the Penalty of *Twenty Shillings*, current Money of this Colony; to be recovered before any of His Majesty's Justices of the Peace where the Fact shall happen to be committed, at the Suit, and to the Profit, of him or them that shall inform or sue for the same: *Provided*, That all Persons subject by this Act to any of the Penalties or Forfeitures therein mentioned, shall, on Default, be legally summoned to appear, and be heard before Judgment given.

CHAP. DCVII.

An ACT *for regulating the Choice of Representatives for the Manor of* Courtlandt, *in the County of* Westchester.

Pass'd the 22d of June, 1734.

WHEREAS his late Majesty King WILLIAM the Third, of glorious Memory, by his Letters Patent under the great Seal of the Colony of *New-York*, bearing Date the seventeenth Day of *June*, in the ninth Year of his Reign, did, among other Things, grant unto Col. *Stephanus Van Courtlandt*, since

Preamble.

8th *GEORGE* II. A. D. 1734.

ſince deceas'd, and to his Heirs and Aſſigns forever, the Right, Liberty and Privilege of returning and ſending a diſcreet Inhabitant, in and of the ſaid Manor, to be a Repreſentative of the ſaid Manor, in every Aſſembly (after the Expiration of the Term of Twenty Years from the Date thereof) to be ſummoned and holden within this Province; which Repreſentatives, ſo returned and ſent, ſhould be received into the Houſe of Repreſentatives of Aſſembly, as a Member of the ſaid Houſe; to have and enjoy ſuch Privileges as the other Repreſentatives, returned and ſent from any of the other Counties and Manors of the ſaid Province, have had and enjoyed in any former Aſſembly holden within the ſaid Province; as in and by the ſaid in part-recited Letters Patent may more fully appear. AND Whereas, purſuant to a Writ lately iſſued to the Freeholders of and in the ſaid Manor, to elect and chuſe ſuch fit Perſon to repreſent them in the preſent General Aſſembly, *Philip Verplanck*, of the ſaid Manor, Eſq; hath been elected and returned as ſuch: But inaſmuch as the Heirs of the ſaid *Stephanus Van Courtlandt*, by Reaſon of the ſaid Manor's remaining undivided among them, and otherwiſe, had not, until very lately, aſſerted and claimed their ſaid Privilege; and there not being ſufficient Proviſion made in the ſaid Grant, for the regulating and orderly chuſing ſuch Repreſentative, ſome Debates and Controverſies did ariſe in the Houſe of Repreſentatives, upon the Return made to them of the Choice of the ſaid *Philip Verplanck*, as aforeſaid; and thereupon, for the more regular Admiſſion of the ſaid *Philip*, it was ordered, he ſhould have Leave to bring in a Bill for that Purpoſe: Wherefore, and to the End ſuch Repreſentative may be the more orderly and duly elected for the Future;

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly of the ſaid Colony, and it is hereby Enacted by the Authority of the ſame,* That the Election and Return of the ſaid *Philip Verplanck*, as aforeſaid, ſhall, and is hereby approved of and confirmed; and the ſaid *Philip Verplanck* is accordingly hereby admitted, and declared to be a Repreſentative of the ſaid *Manor of Courtlandt*, and as ſuch to ſerve in the preſent Houſe of Repreſentatives, and inveſted with the ſame and like Powers and Privileges as any other Member of the ſaid Houſe hath, or ought to have; provided he the ſaid *Philip Verplanck* do firſt qualify himſelf, by taking the Oaths appointed by Law, as the others Members of this Houſe have done, before he be admitted to act as ſuch.

The Election of *Philip Verplanck*, affirmed, and he declared a Repreſentative for the Manor of *Courtlandt*, upon taking the Oaths.

II. **And be it further Enacted** *by the Authority aforeſaid*, That from henceforth, and forever hereafter, it ſhall and may be lawful to and for the Freeholders of the ſaid Manor of *Courtlandt*, (when and as often as Need ſhall be and required) to aſſemble and meet together, in the ſaid Manor, at ſuch Time and Place, as the Conſtable, or other returning Officer or Officers of the ſaid Manor, for that Purpoſe, ſhall direct and appoint, and then and there, by Plurality of Voices of the Freeholders, to elect, chuſe and ſend, a fit and diſcreet Inhabitant and Freeholder of and in the ſaid Manor, to be a Repreſentative of the ſaid Manor, in every General Aſſembly hereafter to be ſummoned and holden within this Colony; which Inhabitant and Freeholder, ſo to be choſen, from time to time, to repreſent the ſaid Manor, is hereby declared to be a Member of the General Aſſembly of this Colony, and to be received into the Houſe as ſuch.

The Freeholders of ſaid Manor, may meet and chuſe a Repreſentative.

III. **And be it further Enacted** *by the Authority aforeſaid*, That the returning Officer or Officers of the ſaid Manor, for the Time being, ſhall, and is hereby fully impowered and authorized, to take the Votes of the Freeholders of the ſaid Manor, upon every Election hereafter to be made, and to proceed in all Diſputes and Controverſies which may happen to ariſe thereupon, and adminiſter ſuch proper Oaths as by Law are appointed, or ſhall be appointed for that Purpoſe, in the ſame and like Manner as the Sheriffs of any County within this Colony, is, or ſhall be impowered to do.

The returning Officer of ſaid Manor, impower'd to take the Votes, *&c.* in the ſame Manner as the Sheriffs of any County.

IV. **Provided**

8th *GEORGE* II. A. D. 1734.

IV. **Provided, and be it Enacted** *by the Authority aforesaid*, That the Freeholders and Inhabitants of the said Manor of *Courtlandt*, shall at all Times, pay the Wages of their own Representative; and that Nothing herein contained shall exempt them from paying their due and equal Proportion of the Wages of the Deputies or Representatives for the County of *Westchester*, and of all other the annual, publick and necessary Charges of the same County.

In Part repealed, by Section 2d. of Chap. 654.

CHAP. DCVIII.

An ACT *for the better explaining, and more effectual putting in Execution, the Act of General Assembly therein mentioned.*

Pass'd the 22d of June, 1734.

See Chap. 588. Obsolete.

CHAP. DCIX.

An ACT *for discharging a certain Obligation entered into by* Cornelius Cuyler, *of the City of* Albany, *Merchant, to the Treasurer of this Colony.*

Pass'd the 22d of June, 1734.

Private.

CHAP. DCX.

An ACT *for fortifying the City of* Albany, || Schenectady, *and other Places in the County of* Albany.

Pass'd the 22d of June, 1734.

|| See Chap. 615. Expired the 1st *December*, 1734.

CHAP. DCXI.

An ACT *to lay a Duty of Tonnage on the Vessels, and for the Time therein mentioned.*

Pass'd the 22d of June, 1734.

Continued by Chap. 622.

WHEREAS it is found by Experience, that ever since a Duty of Tonnage, heretofore laid on Vessels trading into and out of this Colony, has been discontinued, the Number of our own Shipping has decreased to such a Degree, that at present the Vessels of other Ports are become almost our only Carriers. AND Whereas in most or all other *British* Colonies, a greater Duty is imposed on Vessels not belonging to themselves, than those belonging to their own Inhabitants, tho' under the Name of *Powder-Money*, or some other Denomination. AND Whereas it is evident, that Vessels built or owned here, are of far greater Benefit to the Shipwrights in particular, and to the Inhabitants in general, than a much greater Number of Strangers coming hither for Freights; because the Money earned by them is carried out of the Colony; whereas the Earnings of our own Vessels, and of those that navigate them, remains and circulates amongst us. AND Whereas Nothing can contribute more to retrieve the languishing State of our Trade, than the Encrease of our own Shipping and Navigation:

Preamble.

I. **Be it Enacted** *by the Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same*, That there be, and hereby is given and granted unto His Majesty, his Heirs and Successors, to and for the Use herein-after mentioned, and to and for no other Use or Purpose whatsoever, a Duty of Tonnage, for the Term of six Years, to commence on the first Day of *July*, in this present Year One Thousand Seven Hundred and Thirty-four, on all Vessels that shall, during that Time, trade in this Colony, or bring in or carry out of the same, any Goods, Wares or Merchandizes, upon Freight or otherwise, the Quantity of Seven Penny-weight and Twelve Grains of *Sevil*,

A Duty of 3*s.* per Ton given to his Majesty.

8th GEORGE II. A. D. 1734.

Pillar or *Mexico Plate*, or the Sum of *Three Shillings* in Bills of Credit made current in this Colony, for every Ton ſuch Veſſel and Veſſels ſhall meaſure, according to the Rule herein-after mentioned, except on the Veſſels herein particularly excepted.

Veſſels exempted from the Duty of Tonnage.

II. **And be it Enacted** *by the Authority aforeſaid*, That the following Veſſels ſhall be exempted from the ſaid Duty of Tonnage, *To wit*; all Veſſels built within this Colony; all Veſſels wholly owned by the Inhabitants of the ſaid Colony, and the Inhabitants of *Great Britain*; all Coaſting-Veſſels, Weſtward and Southward as far as *Cape Henlopen*, and Eaſtward as far as *New-Hampſhire*, including the ſame, and all Whaling-Veſſels, during the Time ſuch Veſſels are employed in coaſting or whaling.

Other Veſſels exempted.

III. **And be it further Enacted** *by the ſame Authority*, That of all Veſſels built out of this Colony, whereof the Inhabitants of the ſaid Colony ſhall *bona fide*, have owned in their own Right one Quarter Part, or more, before the firſt Day of *May* laſt paſt; the Part or Share ſo owned by ſuch Inhabitants, ſhall be exempted from the ſaid Duty of Tonnage, whilſt the Property thereof remains in ſuch Inhabitants; but the Part of ſuch Veſſels not ſo owned, ſhall be liable to the ſaid Tonnage, unleſs belonging to the Inhabitants of *Great-Britain*.

The Maſter to make Report of his Arrival, &c.

IV. And to the End the Dimenſions of the Veſſels hereby made ſubject and liable to pay the ſaid Duty of Tonnage, may be known with the greater Eaſe; **Be it Enacted** *by the Authority aforeſaid*, That every Maſter or Commander of Veſſels ſo liable to the ſaid Duty, ſhall, within three Days after the Arrival of ſuch Veſſel in this Colony, make Report of the Dimenſions thereof, to the Perſon herein-after appointed to receive the ſaid Duty of Tonnage, and at the ſame Time make Oath before him, or if a Quaker, an Affirmation, in Form following, *to wit*;

Maſter's Oath.

I Maſter or Commander of the do Swear (or Affirm) That her Length from the Fore-part of the Taffril to the Fore-part of the Stem, is and that her Breadth upon the Deck, at the Midſhip-Beam, from the Outſide Planks, on both Sides, is and no more.

And if ſhe have two Decks, the Depth between Decks ſhall be added. Which Form being entered in a Book, to be kept for that Purpoſe, the Blanks thereof are properly to be filled up; and being ſworn or affirmed to by ſuch Maſter or Commander, he is likewiſe to ſign the ſame.

Method to be taken, and the Penalty on the Maſter's Neglect to report.

V. **And be it Enacted** *by the Authority aforeſaid*, That if any Maſter or Commander of Veſſels, hereby liable to pay the ſaid Duty of Tonnage, ſhall neglect or refuſe to make Report, on Oath or Affirmation, in Manner, and within the Time before mentioned; it ſhall be lawful for the Perſon qualified to receive the ſaid Duty, to cauſe a ſworn Shipwright, or other fit Perſon, on Oath, to repair on board ſuch Veſſel immediately, to ſurvey and take the exact Dimenſions of ſuch Veſſel, and compute the Contents of her Tonnage, according to the Rule herein after preſcribed, and to make Report thereof to him accordingly; and the Maſter or Commander of ſuch Veſſel or Veſſels ſhall be ſubject and obliged to pay, not only the full Duty of Tonnage, but likewiſe the Charge of ſurveying; which however ſhall not exceed the Sum of *Ten Shillings*, in Bills of Credit made current in this Colony.

Penalty on making ſhort Report.

VI. And to prevent Frauds in making ſuch Reports, as aforeſaid: **Be it Enacted** *by the ſame Authority*, That if it ſhould be ſuſpected a ſhort Report hath been made of any Veſſel ſubject to the ſaid Duty of Tonnage; it ſhall be lawful for the Officer qualified to receive the ſaid Duty, either perſonally, or by a fit Perſon on Oath, to ſurvey and meaſure the Veſſel ſo ſuſpected; and if

if it be found she hath been reported short, the Master or Commander thereof, who made such short Report, shall forfeit, for every Ton so reported short, Two Ounces of Plate; to be recovered and applied as shall herein after be directed.

VII. **Be it further Enacted** *by the same Authority*, That the said Duty of Tonnage, of all and every Vessel by this Act subject to pay the same, shall be paid by the respective Masters or Commanders thereof, within six Days after her Arrival in this Colony; and every Master or Commander of such Vessel, as shall fail to make such Report or Payment, as aforesaid, within the respective Times abovementioned, shall forfeit unto his Majesty, his Heirs and Successors, two Ounces of Plate for every Ton such Vessel containeth; to be recovered in a summary Way, upon the Oath of one or more credible Witnesses, before any two Justices of the Peace in this Colony, whereof one to be of the *Quorum*; two Thirds whereof for such Use or Uses as the said Duty of Tonnage is, or shall be applied to, and the other Third for the Person that shall sue for and recover the same.

Time of Payment of the Duty.

VIII. AND to prevent Disputes concerning the Contents of Vessels hereby made liable to the said Duty of Tonnage; **Be it Enacted** *by the Authority aforesaid*, That the same shall be computed in Manner following, *That is to say*; Of the Length from the Fore-part of the Taffril to the Fore-part of the Stem, Three-Fourths shall be deemed the Length of her Keel; which shall be multiplied by her Breadth upon the Deck, at the Main or Midship Beam, from the outside Planks on both Sides; and the Product thereof shall be multiplied by Half of the said Breadth, which shall be deemed the Depth of the Hold, and the Whole divided by Ninety five; and the Quotient of such Division shall be the Contents of the Tons of such Vessel, if she have only a single Deck; but if she have two Decks, one Half of the Depth between Decks shall be added to the Depth of the Hold; and the same being multiplied in the Manner above directed, the Whole is to be divided by the said Number of Ninety five, and the Quotient of such Division shall be the Contents of Tons of a Two-Deck Vessel.

How Vessels are to be measured.

IX. AND to the End the good Intent of this Act may not be defeated; **Be it Enacted** *by the Authority aforesaid*, That if any Officer belonging to his Majesty's Customs, in this Colony, shall clear any Vessel, by this Act liable to the said Duty of Tonnage, before it shall appear to such Officer, by a Certificate or Receipt under the Hand of the Person hereby appointed to receive the said Duty, *That the same is paid and discharged for such Vessel*; every such Officer of the Customs, so clearing such Vessel, without such Certificate or Receipt, as aforesaid, shall forfeit and pay double the Sum that ought to have been paid for the Tonnage of such Vessel so cleared, contrary to the Meaning of this Act; to be recovered and applied in Manner as aforesaid.

Penalty on Custom-House Officers if they neglect their Duty.

X. **And be it further Enacted** *by the Authority aforesaid*, That *Abraham De Peyster*, Esq; the present Treasurer of this Colony, or the Treasurer thereof for the Time being, shall be, and hereby is appointed, authorised and impowered, to receive and collect the Duty of Tonnage to arise by Virtue of this Act, to administer the Oaths or Affirmations, and receive the Reports before mentioned, and to do and perform all other Acts proper and necessary for securing and collecting the said Duty; and upon receiving it from any Master or Commander, he is to give a Certificate or Receipt unto him or them for the same, *gratis*; but for the Report, and Oath or Affirmation above mentioned, he may demand and receive *One Shilling*, and no more: And he is hereby enjoined to keep exact Books of the said Duty of Tonnage, and of what shall, from time to time, arise by the same; and to render Accounts thereof, upon Oath, to the Governor, Council, and General Assembly, when by them, or any of them, thereunto required,

An Officer appointed to collect the Duty on the Tonnage.

His Duty.

XI. And

8th *GEORGE* II. A. D. 1734.

XI. **And be it Enacted** *by the Authority aforeſaid*, That all the Money to ariſe by Virtue of this Act, ſhall remain in the Treaſury of this Colony, until the ſame ſhall be appropriated for erecting Fortifications in the ſaid Colony, and to no other Uſe or Purpoſe whatſoever, in ſuch Manner as by Act or Acts of the General Aſſembly, hereafter to be paſſed for that Purpoſe, ſhall be ordered and directed; at which Time a reaſonable Reward ſhall be allowed for receiving and iſſuing the ſaid Money.

How the Money is to be appropriated.

C H A P. DCXII.

Expired 1ſt of *December*, 1744. Provided for, and enlarged, by Chap. 784.

An ACT *for regulating the Rates to be taken for Ships and other Veſſels uſing the Wharfs called* Burnet's-Key, *in the City of* New-York.

Paſs'd the 22d of June, 1734.

C H A P. DCXIII.

See Chap. 597. Continued by Chap. 627.

An ACT *for the further continuing an Act, entitled,* An *Act* to let to farm the Exciſe of ſtrong Liquors retailed in this Colony, for the Time therein mentioned, and for declaring Shrub liable to the ſame Duties as diſtilled Liquors.

Paſs'd the 13th of November, 1734.

C H A P. DCXIV.

Expired the 1ſt *December*, 1737. Provided for by Chap. 785.

An ACT *to lay a Duty on empty Caſks imported in the City of* New-York, *during the Time therein mentioned.*

Paſs'd the 13th of November, 1734.

C H A P. DCXV.

Enforced Ch. 640. Obſolete.

An ACT *for raiſing the Sum of* Fifty Pounds, *in the Townſhip of* Schenectady, *for making their old Church defenſible, and other Fortifications in the ſaid Town.*

Paſs'd the 13th of November, 1734.

C H A P. DCXVI.

Continued by Chap. 629. Repealed Chap. 885.

An ACT *for the more equally repairing of the Road from* Towerjoine *to* Koghnewage *Creek, in the County of* Albany.

Paſs'd the 13th of November, 1734.

C H A P. DCXVII.

See Chap. 598. Continued by Chap. 628.

An ACT *for the further Continuance of an Act, entitled,* An *Act* for ſettling and regulating the Militia in this Province, and making the ſame uſeful for the Security and Defence thereof, and for repealing all other Acts relating to the ſame; as likewiſe the ſeveral Acts whereby the ſame has been revived and continued.

Paſs'd the 13th of November, 1734.

C H A P. DCXVIII.

Expired firſt *November*, 1737. Provided for by Chap. 818.

An ACT *to prevent Deſertion from his Majeſty's Forces in the Colony of* New-York.

Paſs'd the 13th of November, 1734.

C H A P. DCXIX.

Expir'd 1ſt of *May*, 1738. *See a general Law relating to Fences,* Ch. 3. ante. *and* Chap. 887, poſt.

An ACT *to aſcertain the Heighth of Fences, and to regulate Horſes in Kings County.*

Paſs'd the 28th of November, 1734.

CHAP.

CHAP. DCXX.

8th *GEORGE* II. A. D. 1734. Expired the 28th *November*, 1737.

An ACT *for building a Wharf in the City of* Albany, *where it fronts* Hudson's-*River*.

Pass'd the 28th of November, 1734.

CHAP. DCXXI.

Private.

An ACT *for discharging two certain Obligations entered into respectively, by* Jeremiah Schuyler, *and* Johannes Cuyler, *jun. to the Treasurer of this Colony*.

Pass'd the 28th of November, 1734.

CHAP. DCXXII.

See Chap. 611. *Continued by a Clause in* Chap. 707, *to 1st of* July, 1751, *and by* Ch. 880, *in which there is also an Explanation and Addition.*

An ACT *to prolong the Duty of Tonnage laid by an Act, entitled,* An *Act* to lay a Duty on Tonnage on the Vessels, and for the Time therein mentioned.

Pass'd the 28th of November, 1734.

The former Part of this Act continu'd Ch. 611, *to the 1st of* July, 1744; *but what follows is all that was necessary to be printed.*

II. AND whereas in the said Act, no Reward is allowed to the Treasurer of this Colony, for the several Services thereby required to be done and performed by him; **Be it Enacted** *by the Authority aforesaid*, That the said Treasurer shall be, and hereby is allowed to retain for his own Use, out of all the Money that hath already arisen, or may arise by Virtue of this and the fore-mentioned ‡ Act, the Sum of *Two Pounds Ten Shillings*, out of every *Hundred Pounds* he shall receive and issue by Virtue thereof, and in that Proportion for a greater or lesser Sum.

‡ Chap. 611.

CHAP. DCXXIII.

Confirmed by the *King*, the twelfth of *January*, 1737. Private.

An ACT *for the Partition and Division of a certain Tract of Land in* Dutchess *County, granted to* Sampson Broughton, Rip Van Dam, Thomas Wenham, Roger Monpeson, Peter Fauconier, Augustine Graham, Richard Sacket, *and* Robert Lurting.

Pass'd the 28th of November, 1734.

CHAP. DCXXIV.

Part repeal'd in 1740, by Ch. 701, and the whole Act expir'd the 28th of *November*, 1744.

An ACT *to lay a Duty on the Goods, and a Tax on the Slaves therein mentioned, during the Time, and for the Uses mentioned in the same.*

Pass'd the 28th of November, 1734.

CHAP. DCXXV.

An ACT *to strike and make current Bills of Credit to the Value of* Twelve Thousand Pounds, *on the Funds, and for the Uses therein mentioned.*

Pass'd the 28th of November, 1734.

WHEREAS in the Years One Thousand Seven Hundred and Nine, and One Thousand Seven Hundred and Eleven, several large Sums of Money were raised and levied in this Colony, for the two Expeditions intended against *Canada*, in those two Years, and for carrying on the same effectually, in the Part of the said Colony, and to make present Payment for the Provisions, Stores, and other Necessaries, as well as the Pay of Men employed in that Service; Bills of Credit were struck and issued on the Funds therein mentioned, and Provision made, that the same should gradually be sunk and destroyed, as

Preamble.

8th *GEORGE* II. A. D. 1734.

thoſe ſeveral Funds came in; as in and by the reſpective Acts of the General Aſſembly, then paſſed for the Purpoſes aforeſaid, may more at large appear. And altho' no Bills of Credit were emitted in this Colony, until the Importance of the intended Service above-mentioned, induced the Legiſlature to ſtrike the ſame; yet other Bills of Credit have ſince been ſtruck and iſſued in the ſaid Colony, but to no greater Value at any Time, but ſuch as were conceived abſolutely neceſſary, and at every ſuch Time effectual Funds were provided, whereby to ſink, cancel and deſtroy the ſame; by which prudent Care, all the Bills of Credit ſtruck and iſſued in the ſaid Colony, which remain uncancelled, do ſtill preſerve the ſame Reputation, and are as current in Trade, and in the Treaſury, for the full Value they were ſtruck for, as they were, and have been from the firſt Time this Colony emitted a Paper Currency. And whereas from the preſent Situation of Affairs in *Europe*, we are not without Apprehenſions, that *Great-Britain* may find it neceſſary to take Part in the Wars which are broke out, and vigorouſly carried on, between ſeveral of the moſt powerful Princes and Potentates therein, the General Aſſembly have reſolved and provided Means to fortify this Colony, and make it defenſible againſt any Attacks or Attempts by Sea or Land; which will no leſs tend to the Honour of his Majeſty, than to the Security of this his ſaid Colony, and of his liege Subjects inhabiting the ſame, and which ought not to be neglected, though there was a Certainty that *Great-Britain* would remain longer in a profound Peace, than it has had the Happineſs to enjoy for many Years paſt. And as the before-mentioned Expeditions were intended for the Security of all his Majeſty's Colonies and Plantations on this Continent, ſo the ſaid Fortifications will be a Security to many of them in general, and to this Colony in particular; and as the ſaid Expeditions could not have been carried on without the Help of a Paper Credit, ſo it will be impracticable to fortify this Colony, in Manner as aforeſaid, unleſs the ſame Expedient be made uſe of. And to the End this Colony may be enabled effectually, and in the ſpeedieſt Manner, to fortify itſelf, purſuant to an Act paſſed herewith, entitled, *An* Act *to appoint and impower Commiſſioners for erecting Fortifications in this Colony, at the ſeveral Places therein mentioned*; the General Aſſembly therefore pray it may be Enacted:

I. **And be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That on the ſeveral Funds herein after mentioned, and for the more ſpeedy erecting and building the Fortifications aforeſaid, there ſhall be forthwith printed, ſigned, and lodged in the Treaſury, Bills of Credit to the Value of *Twelve Thouſand Pounds*, current Money of this Colony; *That is to ſay*, Three Hundred Bills of the Value of *Ten Pounds* each; Six Hundred Bills of *Five Pounds* each; Eight Hundred Bills of *Three Pounds* each; Eight Hundred Bills of *Two Pounds*, or *Forty Shillings* each; One Thouſand Bills of *One Pound*, or *Twenty Shillings* each; One Thouſand Bills of *Ten Shillings* each; and Two Thouſand Bills of *Five Shillings* each. Upon each and every of which Bills ſhall be impreſſed, on the Left Side of the ſaid Bill, the Arms of the City of *New-York*; and the ſaid Bills ſhall be in the Form following, *to wit*.

The Number and Value of the Bills of Credit.

The Form of the Bills.

THIS Bill, by Law, ſhall paſs current in the Colony of New-York, *for in all Payments, and in the Treaſury.* New-York, *Fifteenth* November, *One Thouſand Seven Hundred and Thirty-four.*

The Signers Names.

WHICH ſaid Bills ſhall be ſigned and numbred by *John Cruger*, *Frederick Philipſe*, *Cornelius Van Horne*, and *Stephen Bayard*, Eſqrs. or any three of them; and in Caſe of the Death of any of the ſaid Perſons, the ſaid Bills ſhall be ſigned and numbred by the greater Number of them then alive: And the Bills of Credit aforeſaid, to be ſtruck and iſſued by Virtue of this Act, ſhall be and

continue

continue current in all Payments, and in the Treaſury, until the Twenty-fifth Day of *March*, which will be in the Year One Thouſand Seven Hundred and Forty-ſix, and no longer.

II. AND altho' the Perſons herein named, and impowered to ſign the ſaid Bills of Credit, have generouſly offered to do the ſeveral Services by this Act directed to be done and performed by them, without any Reward; **Be it nevertheleſs Enacted** *by the Authority aforeſaid*, That toward their Expences, whilſt they perform the ſaid Services, the Treaſurer of this Colony ſhall pay unto them, in Bills of Credit made current by this Act, to the Value of *Eight Pounds*, if they pleaſe to receive the ſame; and their Receipt ſhall be a ſufficient Voucher and Diſcharge to the Treaſurer for that Sum.

The Reward of the Signers.

III. **Be it further Enacted** *by the Authority aforeſaid*, That each of the Perſons herein appointed for the ſigning and numbring of the ſaid Bills of Credit, ſhall, before they ſign and number any of them, take an Oath before any one of the Magiſtrates of the City of *New-York*, in the Form following, *to wit*.

The Signers Oath.

I A. B. *do ſwear, That I will truly ſign or number all the Bills of Credit directed to be ſtruck and iſſued by Virtue of an Act, entitled*, An *Act* to ſtrike and make current Bills of Credit to the Value of *Twelve Thouſand Pounds*, on the Funds and for the Uſes therein mentioned, *and no more; except impowered by an Act of Aſſembly of this Colony ſo to do; and that I will deliver unto the Treaſurer of this Colony, for the Time being, all the Bills of Credit ſo ſigned or numbred by me, and no more than the Number mentioned in the ſaid Act, and of the ſame Value, according to the true Intent and Meaning thereof.* So help me GOD.

WHICH Oath the ſaid Magiſtrate is hereby required and impowered to adminiſter: And if it ſhall happen that any ſupernumerary Bills are left, after the ſaid Number ſhall be delivered to the Treaſurer, in Manner aforeſaid, all ſuch ſupernumerary Bills ſhall be burnt and deſtroyed by the ſaid Signers, in the Preſence of the Treaſurer of this Colony.

IV. **Be it further Enacted** *by the ſame Authority*, That the Bills of Credit hereby enacted to be ſtruck and iſſued, ſhall be received by the Treaſurer of this Colony, in all publick Payments, and for any Fund at any Time in the Treaſury, and by any Perſon or Perſons within this Colony, in all Caſes whatſoever, during the Time they are enacted to continue; and ſhall be of equal Value, and be as effectually current, as any Bills of Credit heretofore made current in this Colony, by any Act or Acts of the General Aſſembly of the ſame: And any Perſon or Perſons refuſing to take them in Payment (during the Time hereby appointed for the ſaid Bills to be current) for any Sum due, or hereafter to become due, or for any Contract already made, or hereafter to be made, or for any Conſideration whatſoever, for any Effects or Services already delivered or performed, or hereafter to be delivered or performed; ſhall be liable, and is hereby made liable and ſubjected to all the Penalties and Forfeitures contained in any or all the Acts of the General Aſſembly of this Colony, at any Time enacting and enforcing the Currency of Bills of Credit, as fully, to all Intents, Conſtructions, and Purpoſes whatſoever, as if the Words of all or any of the Acts aforeſaid, relating to the Bills of Credit, or enacting and enforcing the Currency of the Bills of Credit in them mentioned, had been particularly expreſſed or tranſcribed, and herein and hereby enacted.

The Currency of the ſaid Bills.

V. **Be it further Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons whatſoever, ſhall preſume to counterfeit, or imitate any of the Bills of Credit made current by this Act, or ſhall alter any of the Bills made current, as aforeſaid, ſo that they ſhall appear to be of greater Value than by this Act the

The Puniſhment for counterfeiting them.

8th *GEORGE* II. A. D. 1734.

the ſame Bill or Bills, ſo altered, were enacted, ſigned and numbred to paſs current for, or ſhall knowingly paſs, or give in Payment, any of the Bills aforeſaid, ſo counterfeited, imitated or altered; every Perſon, ſo guilty of counterfeiting, imitating or altering any of the ſaid Bills, as aforeſaid, or of knowingly paſſing or giving in Payment, any ſuch counterfeit, imitated or altered Bill, ſhall be guilty of Felony; and being thereof convicted, ſhall ſuffer the Pains of Death, without the Benefit of Clergy.

The Printer's Reward.

VI. **And be it further Enacted** *by the ſame Authority*, That *William Bradford* ſhall be paid by the Treaſurer of this Colony, in Bills of Credit hereby made current, the Sum of *Eight Pounds*, as a Reward for his printing the ſaid Bills of Credit, and providing Paper, and for Pens and Ink to ſign the ſame.

The old Arms and Stamps to be deſtroyed, and new ones to be engraved.

VII. And whereas the Stamps of the Arms of the City of *New-York*, heretofore made uſe of for printing Bills of Credit iſſued in this Colony, are not only too large for the Bills by this Act directed to be ſtruck, but alſo much worn; and it being conceived neceſſary to have a new Set of Stamps made; **Be it Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony do cauſe the ſaid old Stamps to be broke in Pieces, in the Preſence of Col. *Lewis Morris*, jun. and Col. *Frederick Philipſe*; and that Mr. *Charles Le Roux*, do make ten new Stamps of the Arms of the City of *New-York*, of a ſmaller Size; for which Service he ſhall receive from the Treaſurer of this Colony, the Sum of *Twenty five Pounds*, in Bills of Credit made current by this Act; which Sum ſhall likewiſe be in full of a Debt of *Four Pounds*, due to him for Services performed by him, in engraving of the ſaid old Stamps.

The ſtamps to be delivered to the Treaſurer.

VIII. **And be it further Enacted** *by the ſame Authority*, That when the ſaid Stamps are compleated and made, the ſaid *Charles Le Roux*, ſhall deliver them into the Hands of the ſaid Treaſurer, who ſhall, in the Preſence of the aforeſaid Signers, (or the greater Number of them) deliver the ſaid Stamps to the ſaid *William Bradford*, taking his Receipt for the Number of Stamps ſo delivered to him; and when the ſaid *William Bradford* has finiſhed and compleated the printing the Quantity and Sorts of Bills hereby directed to be ſtruck and iſſued, he ſhall re-deliver the ſaid Stamps to the ſaid Treaſurer, in the Preſence of the Signers aforeſaid, or the greater Number of them; who ſhall be, and hereby are, each of them, obliged to ſeal them up, with their ſeveral Seals, and ſo to remain in the Treaſury, until they ſhall be ordered to be made uſe of by any future Act of Aſſembly; and the Receipt of the ſaid Treaſurer, to the ſaid *Bradford*, ſhall be a ſufficient Diſcharge for ſuch Re-delivery; and the ſaid Printer is hereby directed and required, to deliver to the Signers herein and hereby appointed to ſign the ſaid Bills, all and every Bill or Bills of Credit by him printed, according to the Form and Manner herein directed; and ſhall at the ſame Time, take an Oath upon the Holy Evangeliſts, *That the Bills of Credit by him then delivered, are all and every of the Bills of Credit by him printed, by Virtue of this Act; and that neither he, the ſaid* Bradford, *nor any Perſon or Perſons by his Conſent, Privity or Procurement, has directly or indirectly, any other or more of them than is now, and has been by him delivered to the ſaid Signers.* Which Oath the Treaſurer is hereby impowered, required and directed to adminiſter.

The Printer's Oath.

Several Funds for ſinking the Bills of Credit.

IX. And that the Bills of Credit hereby directed to be ſtruck and made current in this Colony, may again be gradually ſunk, cancelled and deſtroyed; **Be it Enacted** *by the Authority aforeſaid*, That all the Sum and Sums of Money which have ariſen, or ſhall ariſe by Virtue of the ſeveral Acts of General Aſſembly here-under mentioned; *That is to ſay*; one Act, entitled, *An Act to lay a Duty of Tonnage on the Veſſels, and for the Time therein mentioned*, paſſed in this preſent Year One Thouſand Seven Hundred and Thirty-four; one other Act, entitled,

8th GEORGE II. A. D. 1734.

entitled, *An* Act *to lay a Duty on the Goods, and a Tax on the Slaves therein mentioned, during the Time, and for the Uses mentioned in the same*; and one other Act, entitled, *An* Act *to prolong the Duty of Tonnage laid by an Act, entitled,* An *Act* to lay a Duty of Tonnage on the Vessels, and for the Time therein mentioned; shall be, and hereby are applied to and for the sinking, cancelling and destroying of the said Bills of Credit, and to and for no other Use or Purpose whatsoever, during the Continuance of the several Acts aforesaid.

The 10*th Section is* repealed, *and provided for by* Chap. 861.

XI. AND that it may be truly known what Number and Value of such Bills are cancelled, burnt and destroyed, at any of the Time or Times directed by this Act, for sinking and destroying the said Bills; **It is further Enacted** *by the same Authority*, That the Treasurer of this Colony shall keep a true, perfect and distinct Account, of all such Bills as shall by him be received and destroyed in Manner before mentioned, and shall render Accounts thereof, upon Oath, if thereunto required, by the Governor, Council or Assembly, or any of them.

The Treasurer to render an Account how many and when the Bills are sunk.

XII. AND whereas Col. *Philip Schuyler* has, at the Request of the General Assembly, and with the Approbation of his Excellency, performed an Embassy to the *Senekaas* Nation of Indians, to confirm them in his Majesty's Interest; and for that Purpose, not only carried several Presents, but left others to be distributed amongst them, with a Smith, and some other People, who were to reside with the said Nation, for the Term of twelve Months; and it being reasonable that he be repaid the Expence of the said Embassy, out of the Funds on which the Bills of Credit above mentioned, are to be struck, pursuant to a former Resolve; **Be it Enacted** *by the Authority aforesaid*, That the Treasurer of this Colony do pay out of the Bills of Credit hereby made current, unto the said Col. *Philip Schuyler*, or his Assigns, the Sum of *Four Hundred and Twelve Pounds*, in full Discharge of the said Embassy, and the Expences which have attended the same; and his Receipt shall be a sufficient Discharge for so much to the said Treasurer.

Col. *Schuyler* to be paid £. 412.

XIII. **Be it Provided, and further Enacted** *by the same Authority*, That whatever Money shall or may arise by the several Funds above mentioned, more than is or will be sufficient to sink and cancel the Bills of Credit struck and issued by Virtue of this Act, in Manner as aforesaid, shall be, and hereby is enacted to remain in the Treasury, until the same be applied or disposed of by Act or Acts of the General Assembly hereafter to be passed for that Purpose, and to and for no other Use or Purpose whatsoever.

The overplus Money to remain in the Treasury till applied by Act or Acts hereafter to be passed.

XIV. **And be it further Enacted** *by the Authority aforesaid*, That if the above mentioned Funds should prove insufficient to cancel, sink and destroy, the said Bills of Credit struck and issued by Virtue of this Act, at or within the Time above limited, the General Assembly will find proper Means to make good that Deficiency.

If the Funds prove deficient, they are to be made good.

XV. AND whereas *William Bradford* did, by the Direction of the General Assembly, and for the Use of the Members of the said Assembly, print the Opinion of Mr. *William Smith*, and Mr. *Joseph Murray*, the Cost whereof amounting to the Sum of *Thirty-four Pounds*; and it being reasonable he should be paid for the same; **Be it Enacted** *by the Authority aforesaid*, That the Treasurer of this Colony pay out of the Bills of Credit hereby made current, the said Sum of *Thirty-four Pounds*, unto the said *William Bradford*; whose Receipt for it, shall be a sufficient Discharge to the said Treasurer for the same.

W. Bradford to be paid £. 34.

8th GEORGE II. A. D. 1734.

The Treaſurer's Duty and Reward.

XVI. **Be it further Enacted** *by the Authority aforeſaid*, That *Abraham De Peyſter*, Eſq; the preſent Treaſurer of this Colony, or the Treaſurer thereof for the Time being, ſhall keep and retain in his own Hands, out of the Bills of Credit made current by this Act, the Sum of *One Pound Ten Shillings*, on every *Hundred Pounds*, as a Reward for his Troubles and Services in receiving and paying the Bills of Credit hereby made current, and for all the other Services by this Act required to be done and performed by him.

The Bills to remain in the Treaſury till applied towards the erecting of Fortifications.

XVII. **Be it further Enacted** *by the ſame Authority*, That all the Bills of Credit hereby made current, except the ſeveral Sums herein and hereby directed to be paid to the reſpective Perſons before mentioned, ſhall remain in the Treaſury, until the ſame be applied towards enabling Commiſſioners to make ready Payments for Materials and Workmanſhip to erect Fortifications, as in and by an Act, entitled, *An* Act *to appoint and impower Commiſſioners for erecting Fortifications in this Colony, at the ſeveral Places therein mentioned*, ſhall be ordered and directed.

CHAP. DCXXVI.

Obſolete.

An ACT *to appoint and impower Commiſſioners for erecting Fortifications in this Colony, at the ſeveral Places therein mentioned.*

Paſs'd the 28th of November, 1734.

9th GEORGE II. A. D. 1735.

See Chap. 613. Continued, Ch. 64.

CHAP. DCXXVII.

An ACT *for the further continuing an Act, entitled*, An *Act* to let to farm the Exciſe of Strong Liquors retailed in this Colony, for the Time therein-mentioned, and declaring Shrub liable to the ſame Duties as diſtilled Liquors.

Paſs'd the 28th of November, 1735.

See Chap. 617. Continued by Chap. 637.

CHAP. DCXXVIII.

An ACT *for the further Continuance of an Act, entitled*, An *Act* for ſettling and regulating the Militia in this Province, and making the ſame uſeful for the Security and Defence thereof; *and for repealing all other Acts relating to the ſame, as likewiſe the ſeveral Acts whereby the ſame has been revived and continued.*

Paſs'd the 28th of November, 1735.

See Chap. 539, and 616. Expired the 1ſt *December*, 1742, and Repealed, and Provided for by Chap. 885.

CHAP. DCXXIX.

An ACT *to continue the two ſeveral Acts therein mentioned, relating to the publick High-Roads in the City and County of* Albany.

Paſs'd the 28th of November, 1735.

See Chap. 592. Expired firſt *November*, 1737. Provided for by Chap. 764.

CHAP. DCXXX.

An ACT *to continue an Act, entitled*, An *Act* to diſcharge the ſeveral Demands on the Trading-Houſe at *Oſwego*, to Support his Majeſty's Troops poſted there, to prevent Abuſes in the ſame, and for other Purpoſes therein mentioned.

Paſs'd the 28th of November, 1735.

See Chap. 280, and 447. Expired the 31ſt *December*, 1739.

CHAP. DCXXXI.

An ACT *to revive, inforce, and continue the Currency of the Bills of Credit therein mentioned, until the End of the Year One Thouſand ſeven Hundred and Thirty-nine.*

Paſs'd the 28th of November, 1735.

CHAP.

CHAP. DCXXXII.

9th GEORGE II. A. D. 1735.

An ACT *for the further continuing an Act, entitled,* An *Act* for the better clearing, regulating, and further laying out publick High-Roads in the County of *Ulster*.

Pass'd the 28th of November, 1735.

See Chap. 577. Expired 1st of *December*, 1742. Provided for by Chap. 753.

CHAP. DCXXXIII.

An ACT *to prevent Damages by Swine in the Precinct of* Goshen, *and some other Parts contiguous thereto, in the County of* Orange.

Pass'd the 28th of November, 1735.

Repealed Chap. 664, and Expired 26th of *March*, 1741.

CHAP. DCXXXIV.

An ACT *for naturalizing* William Corselius, Peter Corselius, Christian Stowber, William Popelsdorf, Jacobus Peter Sueiter, Mathys Melsbagh, Hendrick Christ, Stephanus Christ, Lawrence Christ, Philip Melsbagh, Jacob Boochstaver, Johannes Jong Bloet, Jacob Sensenbagh, Johannes Schuoug, Michael Christopher Kow, *and* Wiet Timmor.

Pass'd the 28th of November, 1735.

Private.

GEORGE CLARKE, Esq; Lieutenant-Governor.

10th GEORGE II. A. D. 1736.

The Fifteenth ASSEMBLY.

FIRST SESSIONS.

CHAP. DCXXXV.

An ACT *to revive an Act, entitled,* An *Act for the speedy punishing and releasing such Persons from Imprisonment as shall commit any criminal Offences, in the City of* New-York, *under the Degree of Grand Larceny.*

Pass'd the 10th of November, 1736.

See Chap. 590. Expired the 1st *December*, 1744. Provided for by Chap. 767.

CHAP. DCXXXVI.

An ACT *for the Payment of* Sixty Pounds *to* Henry Barclay, *for the Service, and out of the Bills of Credit therein mentioned.*

Pass'd the 10th of November, 1736.

Private.

CHAP. DCXXXVII.

An ACT *for the further Continuance of an Act, entitled,* An *Act* for settling and regulating the Militia in this Province, and making the same useful for the Security and Defence thereof, and for repealing all other Acts relating to the same; as likewise the several Acts whereby the same has been revived and continued.

Pass'd the 10th of November, 1736.

See Chap. 628. Continued by Chap. 647.

CHAP. DCXXXVIII.

An ACT *to revive an Act, entitled,* An *Act* for mending and keeping in Repair, the Post-Road from *New-York* to *Kings-Bridge*.

Pass'd the 10th of November, 1736.

See Chap. 510. Repealed Ch. 712, *and therein provided for.*

CHAP.

10th *GEORGE* II.
A. D. 1736.

CHAP. DCXXXIX.

See Chap. 546. Expir'd the 1ſt of *November*, 1745.

An ACT *to revive an Act, entitled,* An *Act* to prevent Swine running at large in *Dutcheſs* County, and in the Manor of *Livingſton*, and in the Precinct of the Manor of *Renſelaerwick*, called *Claverack*, in the County of *Albany*.

Paſs'd the 10th of November, 1736.

CHAP. DCXL.

See Chap. 615.

Obſolete.

An ACT *to enforce Part of an Act, entitled,* An *Act* for raiſing *Fifty Pounds* in the Townſhip of *Schenactady*, for making their old Church defenſible, and other Fortifications in the ſaid Town; and for mending ſome Gullies at the End of ſome of the Streets in the ſame; and for erecting a Bridge, and repairing of the Roads at the Places therein mentioned.

Paſs'd the 10th of November, 1736.

CHAP. DCXLI.

Se Chap. 627. Continued by Chap. 645.

An ACT *for the further continuing an Act, entitled,* An *Act* to let to farm the Exciſe of ſtrong Liquors retailed in this Colony, for the Time therein mentioned, and for declaring Shrub liable to the ſame Duties as diſtilled Liquors.

Paſs'd the 10th of November, 1736.

CHAP. DCXLII.

Obſolete.

An ACT *to enable the Juſtices of the Peace in* Orange *County, to build a new Court-Houſe and Goal, for the ſaid County.*

Paſs'd the 10th of November, 1736.

CHAP. DCXLIII.

See Chap. 578. Expir'd 1ſt of *December*, 1744. Provided for by Chap. 766.

An ACT *to revive an Act, entitled,* An *Act* for the ſpeedy puniſhing and releaſing ſuch Perſons from Impriſonment. as ſhall commit any criminal Offences under the Degree of Grand Larceny, in the ſeveral Counties therein mentioned; and to include the City and County of *Albany*, and the County of *Suffolk* therein.

Paſs'd the 10th of November, 1736.

CHAP. DCXLIV.

Altered by Ch. 762, and Expir'd 1ſt *December*, 1745 Provided for by Chap. 801.

An ACT *for the better clearing, regulating, and further laying out publick High-Roads in the County of* Weſtcheſter.

Paſs'd the 10th of November, 1736.

11th *GEORGE* II.
A. D. 1737.

The Fifteenth ASSEMBLY.

SECOND SESSIONS.

CHAP. DCXLV.

See Chap. 641. Expired 1ſt of *November*, 1738.

An ACT *for the further continuing an Act, entitled,* An *Act* to let to farm the Exciſe on Strong Liquors retailed in this Colony, for the Time therein mentioned, and for declaring Shrub liable to the ſame Duties as diſtilled Liquors.

Paſs'd the 16th of December, 1737.

CHAP.

11th *GEORGE* II. A. D. 1737.

CHAP. DCXLVI.

Private.

An ACT *for naturalizing* Johannes Lorentz Carstens.

Pass'd the 16th of December, 1737.

CHAP. DCXLVII.

An ACT *for the further continuing of an Act, entitled,* An *Act* for settling and regulating the Militia in this Province, and making the same useful for the Security and Defence thereof, and for repealing all other Acts relating to the same; as likewise the several Acts whereby the same has been revived and continued.

See Chap. 637. Expir'd 1st of *December*, 1738; But provided for by Ch. 674.

Pass'd the 16th of December, 1737.

CHAP. DCXLVIII. a

An ACT *to revive an Act, entitled,* An *Act* to provide able Pilots, and to establish their Pilotage between *Sandy-Hook* and the Port of *New-York*.

See Chap. 565. Reviv'd, Ch. 859.

Pass'd the 16th of December, 1737.

CHAP. DCXLVIII. b

An ACT *to revive an Act, entitled,* An *Act* to amend the Practice of the Law, and to regulate the giving of Special Bail; and to explain Part of the said Act.

See Chap. 544. Expir'd 1st of *December*, 1745, but provided for by Chap. 799.

Pass'd the 16th of December, 1737.

CHAP. DCXLIX.

An ACT *to revive an Act, entitled,* An *Act* for the better Preservation of Oysters, and Power to make Sale of the Forfeitures therein mentioned.

See Chap. 552. Expired first of *December*, 1744. *See an Act for the Preservation of Oysters, near* Richmond, *Chap.* 672.

Pass'd the 16th of December, 1737.

CHAP. DCL.

An ACT *for the frequent Elections of Representatives to serve in General Assembly, and for the frequent Meeting of the General Assembly so elected.*

Repealed by the King, the 30th of *November*, 1738.

Pass'd the 16th of December, 1737.

CHAP. DCLI.

An ACT *to restrain Tavern-keepers and Innholders, from selling Strong Liquors to Servants and Apprentices; and from giving large Credit to others.*

Revived Chap. 713.

Pass'd the 16th of December, 1737.

CHAP. DCLII.

An ACT *to divide* Dutchess *County into Precincts, and to repeal* ‖ *the Act therein mentioned.*

‖ See Chap. 380. See Section 3d, of Chap. 756.

Pass'd the 16th of December, 1737.

Preamble.

WHEREAS *Dutchess* County, by an Act made in the fifth Year of his late Majesty's Reign, entitled, *An* Act *to elect Supervisors in* Dutchess *County*, was divided into three Divisions; and whereas since that Time, the Number of Inhabitants is much increased, and many new Settlements have been made, whereby it is become necessary, for the Ease and Convenience of the Inhabitants thereof, that the said County should be divided into more Precincts;

11th GEORGE II. A. D. 1737.

Dutchess County to be divided into ſeven Precincts.

I. **Be it therefore Enacted** *by the Lieutenant-Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after the Publication of this Act, the ſaid County ſhall be divided into ſeven Precincts, in the following Manner; The *South Precinct* to contain all that Part of the High-Lands which is granted by Patent to *Adolph Philipſe*, Eſq; The *Rombout*, or *Fiſhkill* Precinct, to contain all that Part of the Patent granted to *Rombout and Company*, that lieth to the South and Southeaſt-ward of *Wappinger's* Kill or Creek: *Beekman* Precinct to contain all that Land that was granted to Col. *Henry Beekman*, deceaſed, lying to the Rear of the Patent granted to *Francis Rombout and Company*: *Poghkeepſie* Precinct to contain all the Lands to the North-weſt of the *Wappinger's* Kill or Creek, from the Mouth thereof, and up along the ſaid Kill or Creek, and *Hudſon's* River, until it meets the Patent granted to *Heathcoat and Company*, called the *Lower Nine Partners*: *Cromelbow* Precinct to contain all the Lands granted to the ſaid *Heathcoat and Company*, called the *Lower Nine Partners*, and alſo all the Land granted to *Peter Fauconier and Company*, in *Pauling's-Purchaſe*, and as far to the Northward as a due Eaſt Line run, from the North End of *Little Eſopus* Iſland, to the *Cromelbow* Kill or Creek: *Rynbeck* Precinct to contain all the Lands purchaſed of the Widow *Pauling*, and her Children, by Doctor *Samuel Staats*, deceaſed; all the Land granted to *Adrian Rooſa and Company*; that Land patented by Col. *Henry Beekman*, deceaſed, and the Lands granted by Patent to Col. *Peter Schuyler*, commonly called *Magdalen's Iſland Purchaſe*: The *Northeaſt* Precinct to contain all the Lands granted to *Sampſon Broughton and Company*, commonly called the *Upper Nine Partners*.

South Precinct.

Rombout Precinct.

Beekman Precinct.

Poghkeepſie Precinct.

Cromelbow Precinct.

Rynbeck Precinct.

Northeaſt Precinct.

II. AND for the eaſier aſſeſſing and collecting the Taxes in the ſaid County, and better Payment of the Charges thereof; **Be it therefore Enacted** *by the Authority aforeſaid*, That the Inhabitants of every reſpective Precinct, are hereby required and authoriſed, yearly and every Year, upon the firſt *Tueſday* in *April*, to elect and appoint one Freeholder to be a Superviſor, two Aſſeſſors, and one Collector, in every Precinct in the ſaid County, who ſhall have the ſame Power and Authority, to perform, execute and ſerve, and be liable to the ſame Pains and Penalties as the Superviſors, Aſſeſſors and Collectors of the ſeveral Counties within this Colony have, or are intended to have, or ought to do, or be liable to, by an Act paſſed in the Year One Thouſand Seven Hundred and three, entitled, *An* Act *for the better explaining, and more effectual putting in Execution, an Act of General Aſſembly made in the third Year of the late King* WILLIAM *and Queen* MARY, *entitled*, An *Act* for defraying the publick and neceſſary Charges throughout this Province, and maintaining the Poor, and preventing Vagabonds, and to prevent the Abuſes that might otherwiſe be committed by the Superviſors.

Each Precinct to chuſe annually one Superviſor, two Aſſeſſors, and one Collector.

III. **Be it Enacted** *by the Authority aforeſaid*, That every Superviſor within the ſaid Colony, upon entring into his Office, ſhall take the following Oath, before any one of his Majeſty's Juſtices of the Peace, who is hereby authoriſed and required to adminiſter the ſame.

Superviſor's Oath.

I A. B. *do ſwear, That I will not paſs any Account, or any Article thereof, wherewith I do not think the County juſtly chargeable, nor will I diſallow any Account, or any Article thereof, wherewith I think the County juſtly chargeable.* So help me GOD.

Superviſors to meet annually at *Poghkeepſie*, on the firſt *Tueſday* in ***February***.

Their Wages.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That the Wages or Reward for the ſeveral Superviſors within the ſaid County, ſhall be paid by the Freeholders and Inhabitants of each Precinct reſpectively; and that their annual Meeting be on every firſt *Tueſday* in *February*, at *Poghkeepſie*; and that the Wages of each Superviſor, ſhall not exceed *Three Shillings* for each Day.

V. And

V. **And be it further Enacted** *by the Authority aforesaid*, That it shall and may be at the Election of the *Southern* and *Northern* Precincts, each to send or chuse a Supervisor, for the Term of seven Years; and if either, or both the said Precincts, neglect or refuse to chuse Assessors and Collectors, that in such Case, the *Southern* Precinct shall be assessed by the Assessors, and the Money collected by the Collectors of the *Rombout* Precinct, and the *Northern* Precinct, shall be assessed by the Assessors, and the Money collected by the Collectors of the *Rynbeck* Precinct.

Southern and *Northern* Precincts exempted.

VI. **And be it further Enacted** *by the Authority aforesaid*, That the Assessors of *Dutchess* County shall meet together at *Poghkeepsie*, and make one general Assessment of the whole County, according to the same equitable Rate and Proportion as has hitherto been the Custom in the said County: *Provided always*, That at the Expiration of the seven Years next ensuing, the Inhabitants of the *Southern* and *Northern* Precincts, shall and may each chuse a Supervisor, Collector, and Assessor; who are then to be under the same Restrictions as the rest of the Precincts of the said County; any Thing herein contained to the contrary thereof notwithstanding.

This Exemption to be for 7 Years.

VII. **Be it further Enacted** *by the same Authority*, That the Assessors shall be allowed a Clerk to make up their Tax Lists, and to enter them in a Book, to be kept for that Purpose; and the Wages of such Clerk, for the said Services shall be allowed by the Supervisors, and paid by the County Treasurer, as Part of the County Charge.

Supervisors allowed a Clerk.

VIII. **And be it further Enacted** *by the Authority aforesaid*, That the herein first mentioned Act, entitled, *An* Act *to elect Supervisors in* Dutchess *County*, shall be, and hereby is repealed; and every Clause, Article, and Thing therein contained.

Chap. 380, repealed.

CHAP. DCLIII.

An ACT *to enable the Justices of the Peace in that Part of* Orange *County, lying to the Northward of the* Highlands, *to build a Court-House and Goal for the said County, at* Goshen.

Obsolete.

Pass'd the 16th of December, 1737.

CHAP. DCLIV.

An ACT *for defraying the common and necessary Charge of the Manor of* Courtlandt, *in the County of* Westchester.

Pass'd the 16th of December, 1737.

BE it Enacted *by his Honour the Lieutenant-Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same*, That for the better defraying the common and necessary Charge of the Manor of *Courtlandt*, in the County of *Westchester*, as well from the Beginning of this present Meeting of the Assembly, as all future Charge, that it shall and may be lawful for the Inhabitants of the Manor of *Courtlandt*, being Freeholders, to elect and chuse yearly and every Year, one Supervisor, one Treasurer, two Assessors, and one Collector, for the sad Manor, who shall have the same Power, Authority, Office and Function, and do, perform, execute and serve, and be liable to the same Pains and Penalties as the Supervisors, Treasurers, Assessors and Collectors of the several and respective Counties within this Colony, have, ought, or are intended to have, do, perform, and be liable to, by one certain Act of General Assembly, passed in the Year of our Lord One Thousand seven hundred and three, entitled, *An* Act *for the better explaining and more effectual putting in Execution, an Act of General*

Manor of *Courtlandt* to chuse one Supervisor, one Treasurer, two Assessors, and one Collector.

11th GEORGE II. A. D. 1737.

General Aſſembly, made in the third Year of the Reign of their late Majeſties King WILLIAM *and Queen* MARY, *entitled,* An *Act* for defraying the publick and neceſſary Charge throughout this Province, and for maintaining the Poor and preventing Vagabonds.

See laſt Section of Chap. 607.

II. AND whereas there is an Act, entitled, *An* Act *for regulating the Choice of a Repreſentative for the Manor of* Courtlandt, *in the County of* Weſtcheſter; it is, among other Things, provided and enacted, That the Freeholders and Inhabitants of the ſaid Manor of *Courtlandt*, ſhall, at all Times, pay the Wages of their own Repreſentative; and that Nothing therein contained, ſhall exempt them from paying their due and equal Proportion of the Wages of the Deputies or Repreſentatives for the County of *Weſtcheſter*, and of all other the annual, publick and neceſſary Charges of the ſame County; **Be it therefore Enacted** *by the Authority aforeſaid*, That every Clauſe, Article and Thing contained in the ſaid Proviſo, ſhall be repealed; and it is hereby repealed accordingly, except the following Words, *viz.* "And of all other the annual, publick, and neceſſary Charges of the ſame County."

A Clauſe in a former Act repealed. Exception.

III. **And be it further Enacted** *by the Authority aforeſaid*, That the Wages and Charge of the Repreſentative or Deputy, for the ſaid Manor, in General Aſſembly, ſhall be *Six Shillings* for every Day he attends the Service of the ſaid Aſſembly; and that, as to what relates to the Wages and Charges of Repreſentatives in General Aſſembly, the Freeholders and Inhabitants of the ſaid Manor, ſhall only pay the Charges and Wages of their own Repreſentative or Deputy, in the General Aſſembly, and no other; any Law, Uſage, Cuſtom, or Practice to the contrary hereof notwithſtanding.

Manor of *Courtlandt* to pay for their own Repreſentative.

CHAP. DCLV.

An ACT *to prevent the further Importation of Copper Money into this Colony.*

Paſs'd the 16th of December, 1737.

Preamble.

WHEREAS for ſome Years paſs'd, great Quantities of *Engliſh* Copper Half-pence and Farthings have been, from Time to Time, imported into this Colony, which have been, and are paid and received in the Markets and other Payments, by the common Conſent of the People, at a higher Rate than their intrinſick Value. And whereas by the Convenience of ſuch Copper Money paſſing in ſmall Payments, the Importation of the ſame is ſtill continued; but as the Rate at which the ſaid Copper Money has been, and ſtill is admitted to paſs, as aforeſaid, hath occaſioned ſo large an Importation thereof, that what was a Conveniency at firſt, may in Time prove otherwiſe, if no Remedy be applied. And inaſmuch as the reducing of the preſent Rate at which Copper Money doth paſs, as aforeſaid, might prove a vaſt Loſs, eſpecially to Tradesmen, labouring People, and Farmers, who are poſſeſs'd of a large Share thereof, and might alſo be a Means to deprive us of a Currency, which has hitherto proved uſeful; it is conceived, that the moſt equitable Expedient will be, to prevent the further Importation of the ſaid Copper Coin;

I. **Be it therefore Enacted** *by the Lieutenant-Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That all Copper Half-pence, Farthings, and all other Copper Money whatever, which, from and after the firſt Day of *March* next enſuing, ſhall be brought into the Port of *New-York*, or in any other Place or Places of this Colony, by any Ship or Ships, or any other Veſſel or Veſſels, exceeding the Value of Ten *Shillings*, current Money of this Colony, for every Perſon coming in ſuch Veſſel, ſhall

No more than 10*l.* for every Head, in Copper Money, to be imported in any Veſſel, on Pain of Forfeiture.

shall be forfeited, one Third Part thereof to his Majesty, his Heirs and Successors, for and towards the Support of his Government in this Colony, one other third Part to the Governor or Commander in Chief for the Time being, and the other third Part to the Informer and Seizor, or him or them who shall inform, seize, and sue for the same, in any Court of Record within this Colony, by Bill, Plaint, Information, or other Action, wherein no Essoin, Protection, or Wager of Law, nor more than one Imparlance shall be allowed.

How to be recovered and employed.

II. AND for the better putting this Act in Execution, **Be it Enacted** *by the Authority aforesaid*, That if an Officer or Seaman, of any Vessel, or any other Person, who shall know or be informed, that a Vessel has Copper Money aboard, does give Information thereof to any Officer or Officers of the Customs, or any other proper Officer; such Officer shall forthwith repair on board of such Vessel, with or without such Informer, and make Seizure of all such Copper Money as shall exceed the Sum of *Ten Shillings*, as aforesaid, which shall be discovered and found on board of such Vessel, and to secure the same on Shore, in order to be proceeded against according to this Act; and for the Encouragement of such Informer and Seizor, they shall upon the Condemnation, of such Copper Money, be allowed one full third Part thereof; and the Charge of Prosecution is to be deducted out of the other two Thirds; any Law, Usage, or Custom to the contrary notwithstanding.

Informer to have one Third clear.

And Costs of Suit to be paid out of the other two Thirds.

III. **And be it further Enacted** *by the same Authority*, That all Masters or Commanders of any Ship or other Vessel, coming into this Colony, after the Time herein before mentioned, and having Copper-Money on board of the Vessel under his or their Command, exceeding the Value of *Ten Shillings*, as aforesaid, shall, within Twenty-four Hours after the Arrival of such Vessel in the Port of *New-York*, make to the Collector, or other proper Officer of His Majesty's Customs in the said Port, Report of all the Copper-Coin such Vessels hath or had on board, when she arrived within the Limits of this Colony, and to what Person or Persons the same doth belong, or is consigned; which Master shall at the same Time make Oath before such Collector or Officer, *That, to the Best of his Knowledge or Belief, there is or was imported by the Vessel under his Command, no more Copper-Money than what is mentioned in the Report so by him to be given:* And every such Master or Commander, so coming into the Port of *New-York*, who shall omit, neglect or refuse, to make such Report on Oath, as aforesaid, shall forfeit not only the full Value of all the Copper-Money which shall then be imported in such Vessel, but likewise the further Sum of *Fifty Pounds*, current Money of this Colony; to be at any Time or Times hereafter recovered, and applied in Manner aforesaid.

Masters of Vessels to make Report of Copper Money on board, within 24 Hours after their Arrival,

On Oath,

On Forfeiture of the Value of the Copper Money imported, And £. 50.

CHAP. DCLVI.

An ACT *for establishing and regulating Courts, to determine Causes of* Forty Shillings, *and under, in this Colony.*

Pass'd the 16th of December, 1737.

Preamble.

WHEREAS the orderly Regulation and Establishing of Courts of Justice throughout this Colony, doth tend very much to the Ease and Benefit of his Majesty's Subjects within the same:

I. **Be it therefore Enacted** *by his Honour the Lieutenant-Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same,* That every Justice of the Peace, that now is, or hereafter shall be, within any City, County, Town, Manor or Precinct, within this Colony, is, and shall be hereby fully authorised and impowered, to have and take Cognizance of all Actions, Cases, and Causes of Debt, Detinue, Trespass and Replevin, wherein

Justices impowered to take Cognizance of all Causes not exceeding 40 *s.*

11th *GEORGE* II. A. D. 1737.

the Sum or Thing demanded for Cauſe of Action, ſhall be of the Value or amount of *Forty Shillings*, or under; which Cauſes, Actions, or Suits, ſhall be heard, tried, and finally determined by any ſuch Juſtice of the Peace, who ſhall reſide within any City, County, Town, Manor or Precinct in this Colony.

Proceſs againſt Freeholders and Inhabitants to be by Summons, two Days before the Time of Trial.

II. **And be it further Enacted** *by the Authority aforeſaid*, That the Proceſs or Warning againſt every Freeholder or Inhabitant, having a Family in any ſuch Town, County, Manor, Place, or Precinct, ſhall be, by Summons under the Hand of the Juſtice, directed to the Conſtable of the Town or Precinct, or his Deputy by him appointed, where the Party complained againſt doth reſide; which Summons, ſo to be iſſued, ſhall be ſerved by every ſuch Conſtable, or his Deputy, perſonally, on every ſuch Freeholder or Inhabitant, at leaſt two Days before the Time appointed for hearing, trying, and determining the ſaid Cauſe; and in Caſe ſuch Defendant cannot be found, that then the ſaid Conſtable, or his Deputy, ſhall leave a true Copy of the Summons, ſigned by him, at the Place of Reſidence of ſuch Defendant, two Days before the Time of Trial, as aforeſaid; and that on Proof made on Behalf of the Complainant, of ſuch Service, as aforeſaid; and alſo that ſuch Defendant had been at Home, at or after the Time of ſuch Summons, ſo ſerved, it ſhall and may be lawful for the ſaid Juſtice to proceed, and to hear, try, and finally determine every ſuch Cauſe and Cauſes, whether the Defendant appears on ſuch Summons, or not; and to grant Execution thereon, under his Hand and Seal, for ſuch Sum of Money as ſhall be proved to the ſaid Juſtice, to be due to the Complainant, againſt the Body or Goods of ſuch Defendant, as the Plaintiff in the Suit ſhall deſire; which Execution ſhall be directed to the Conſtable, or his Deputy, who are hereby directed and required to ſerve the ſame.

On Non-appearance, Execution to be granted.

Juſtices impowered to Summons Witneſſes.

III. **And it is hereby further Enacted,** That it ſhall and may be lawful, to and for the Juſtice or Juſtices, before whom ſuch Actions or Suits ſhall at any Time hereafter be commenced and proſecuted, in Purſuance of this Act; and they are hereby directed, impowered and required (at the Requeſt of either of the Parties to ſuch Suits) to iſſue his or their Summons for Witneſſes, under his or their Hands and Seals, thereby commanding and requiring the Perſon or Perſons therein named (according to the Requeſt of the Party deſiring the ſame) to appear before ſuch Juſtice or Juſtices ſigning the ſame, in order to give their Teſtimony, at the Hearing of the Cauſe which ſhall be then before him or them depending.

Either Party may have a Jury of ſix Freeholders at his own Charge.

IV. **Provided always, and it is hereby further Enacted,** That it ſhall and may be lawful for the Plaintiffs or Defendants in ſuch Suits, to have a Jury to try the ſame, if either of them ſhall deſire it, at the proper Coſts and Charges of ſuch of the Parties as ſhall requeſt the ſame; ſuch Jury to conſiſt of ſix Men, being Freeholders.

Proceſs againſt Non-reſidents to be by Warrant.

V. And whereas the Notice by Summons, two Days before Appearance, as aforeſaid, gives Warning and Opportunity to many idle Perſons, that have neither Freeholds nor Families, to remove into ſome other Parts of the Country; by which Means many Perſons have loſt, and are likely to loſe, their juſt Debts; for preventing whereof, **Be it further Enacted** *by the Authority aforeſaid*, That if any ſuch Perſon be indebted to any Perſon or Perſons, to the Value of *Forty Shillings*, or under, and ſhall neglect or refuſe to pay the ſame; then and in ſuch Caſe, on Complaint thereof made to any the Juſtices aforeſaid, by the Perſon or Perſons, having a Demand on ſuch Perſon as aforeſaid; it ſhall and may be lawful to and for any ſuch Juſtice of the Peace, and he is hereby fully impowered and required, to iſſue his Warrant, under his Hand and Seal, directed to ſuch Conſtable, or his Deputy, where ſuch Perſon is or ſhall then be, thereby commanding him to take the Body of ſuch Perſon or

Perſons,

Persons, as aforesaid, and him or her forthwith to bring before him; and the said Justice, who shall issue such Warrant, is hereby impowered in such Case, to admit such Person or Persons to Bail, (in order to appear at the Hearing of the Cause, at such Time and Place as the Justice shall, for that Purpose, appoint, and to abide the Judgment which shall be given thereon) upon such Surety being offered for that Purpose, on Behalf of the Defendant, as such Justice, in his Discretion, shall think sufficient; and in Default of such Bail being offered, such Justice shall immediately proceed to hear, try, and finally determine the Cause or Causes, in a summary Way, unless a Jury be required by either of the Parties, as aforesaid; and upon Judgment given against either of the said Parties, to issue Execution, under the Hand and Seal of the said Justice, against his, her, or their Body or Goods, as the Party in whose Favour the Judgment shall be given, shall desire, directed to the Constable, or his Deputy, as aforesaid, who is hereby forthwith required to serve the same.

Non-residents to be admitted to Bail.

If no Bail is offered, the Justice shall immediately proceed to Trial,

Award Judgment, and grant Execution.

VI. **And it is hereby further Enacted** *by the Authority aforesaid*, That on Service of every Execution to be issued by Virtue of this Act, on the Body of the Plaintiff or Defendant, in all or any Suits, the said Constable, or his Deputy, who shall serve the same, shall deliver the Body of the Person so taken in Execution, to the Goal-keeper of the said County; who is hereby required to receive such Person or Persons, and him, her, or them, to commit to the County Goal, there to remain till the said Execution shall be fully paid and satisfied; and also, on the Service of every Execution on the Goods and Chattels of any Person or Persons, by Virtue of this Act, the said Constable, or his Deputy, who shall serve the same, and take the Goods of the Party in Execution, shall keep the same three Days in his Custody; and in Case the Execution shall not be fully satisfied at the End of the said three Days, that then and in such Case, it shall and may be lawful to and for such Constable, or his Deputy, and he is hereby authorised and required, to expose the said Goods, so taken in Execution, to Sale at publick Vendue, and out of the Monies arising by such Sale, to pay and satisfy the said Execution, together with the Charges of such Sale, rendering the Overplus to the Owner, if any be.

On Execution against the Body, the Prisoner shall be committed to the County Goal.

Goods taken in Execution, shall be kept 3 Days before they are exposed to Sale.

VII. **And be it further Enacted** *by the Authority aforesaid*, That no Replevin, Suit or Action, shall at any Time hereafter be commenced or brought in any of the County Courts of Common-Pleas, or Mayors Courts in this Colony, wherein the true and real Cause of Action, the Value of the Thing or Things demanded, or Damages sustained, does not exceed the Sum of *Forty Shillings*, current Money of this Colony; and in Case any such Suit or Action shall hereafter be brought in any of the said Courts; yet nevertheless, if it so happen, that the Jury who shall try such Action or Suit, or the Jury who shall enquire of the Damages, on a Writ or Writs of Enquiry, shall find or assess the Damages under *Forty Shillings*, as aforesaid; then the Plaintiff or Plaintiffs, in such Action, shall pay all Costs, (Actions of Assault and Battery, and Trespass, wherein Title of Land is claimed, excepted) any Law, Usage, or Custom to the contrary notwithstanding.

In Actions before the County-Courts or Mayor's Courts, wherein the Damages are found not to exceed 40 *s.*

the Plaintiff to pay the Costs.

VIII. **Provided nevertheless,** That nothing in this Act shall extend to Matters of Account, where the Sum total of such Account shall exceed in the Amount or Value thereof, the Sum of *Ten Pounds*; any Thing herein to the contrary notwithstanding.

Accounts of £. 10 exempted.

IX. **Provided also,** That nothing herein contained, shall extend, or be construed to extend, to abridge, alter or lessen the Powers, Rights, Privileges and Methods of Proceedings of the Mayor, Recorder and Aldermen of the Cities of *New-York* and *Albany*, and Borough of *Westchester*, or any of them, which they or any of them, were intitled to before the making hereof; any Thing in this Act to the contrary thereof notwithstanding.

This Act not to abridge the Privileges of the Mayor, &c. of *New-York*, *Albany* and *Westchester*.

X. And

11th *GEORGE* II. A. D. 1737.

Juſtices being of the Council, may act or not, as they pleaſe.

X. **And Provided alſo,** That nothing herein ſhall extend to oblige ſuch Juſtices of the Peace within this Colony, as are Members of his Majeſty's Council, to take Cognizance of ſuch Cauſes, Matters or Things, as are by this Act provided for; but that they ſhall be at Liberty at all Times, to act therein or not, as to them ſhall ſeem fitting; any Thing herein to the contrary notwithſtanding.

CHAP. DCLVII.

Expired the 1ſt *December*, 1744. Provided for by Chap. 780.

An ACT *for the better clearing, and further laying out publick High-Roads in* Dutcheſs *County.*

Paſs'd the 16th of December, 1737.

CHAP. DCLVIII.

Obſolete.

An ACT *to encourage a publick School in the City of* New-York, *for teaching Latin, Greek, and Mathematicks.*

Paſs'd the 16th of December, 1737.

CHAP. DCLIX.

Obſolete.

An ACT *to enable the Juſtices of the Peace, in* Ulſter *County, to defray the Charges of building a Court-Houſe and Goal, for the ſaid County, and to enable them to finiſh the ſame, and for defraying of other Charges therein mentioned.*

Paſs'd the 16th of December, 1737.

CHAP. DCLX.

An ACT *for lowering the Intereſt of Money to Seven* per Cent.

Paſs'd the 16th of December, 1737.

Preamble.

WHEREAS the great and exceſſive Uſury now commonly taken in this Colony, is found to be a very great Diſcouragement to the Trade thereof, and an Obſtruction to the Settlement of the ſame; for Remedying and Preventing of which for the Future:

No more than *7 per Cent.* to be taken for Forbearance.

I. **Be it Enacted** *by his Honour the Lieutenant Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That no Perſon or Perſons whatſoever, from and after the firſt Day of *May*, which will be in the Year of our Lord One Thouſand Seven Hundred and Thirty-eight, upon any Contract which ſhall be made from and after the ſaid firſt Day of *May*, take directly or indirectly, for Loan of any Monies, Wares, Merchandize, or other Commodities whatſoever, above the Value of *Seven Pounds*, for the Forbearance of *One Hundred Pounds*, for one Year, and ſo after that Rate for a greater or leſſer Sum, or for a longer or ſhorter Time; and that all Bonds, Contracts and Aſſurances whatſoever, made after the Time aforeſaid, for Payment of any Principal, or Money to be lent or covenanted, to be performed upon, or for any Uſury, whereupon or whereby there ſhall be reſerved or taken above the Rate of *Seven Pounds* in the *Hundred*, as aforeſaid, ſhall be utterly void; and that all and every Perſon or Perſons whatſoever, which ſhall, after the Time aforeſaid, upon any Contract to be made after the ſaid firſt Day of *May*, take, accept or receive, by Way or Means of any corrupt Bargain, Loan, Exchange, Chevizance, Shift, or Intereſt of any Wares, Merchandize, or any other Thing or Things whatſoever, or by any deceitful Way or Means, or by any Covin, Engine, or deceitful Conveyance, for the forbearing or giving Day of

of Payment for one whole Year, of and for their Money, or other Thing, above the Sum of *Seven Pounds*, for the forbearing of *One Hundred Pounds* for a Year, and so after that Rate, for a greater or lesser Sum, or for a longer or shorter Term; shall forfeit and lose for every such Offence, the treble Value of the Monies, Wares, Merchandizes, and other Things, so lent, bargained, exchanged, or shifted; any former Law to the contrary hereof notwithstanding.

II. **And be it further Enacted** *by the Authority aforesaid*, That all and every Scrivener and Scriveners, Broker and Brokers, Solicitor and Solicitors, Driver and Drivers of Bargains for Contracts, who shall, after the said first Day of *May*, take or receive, directly or indirectly, any Sum or Sums of Money, or other Reward, or Thing, for Brokage, soliciting, driving or procuring the Loan, or forbearing of any Sum or Sums of Money, over and above the Rate or Value of *Ten Shillings*, for the Loan or forbearing of *One Hundred Pounds* for a Year, and so in Proportion for a greater or lesser Sum, or above *Eighteen Pence* for making or renewing of the Bond or Bill, for Loan or Forbearing thereof, or for any Counter-Bond, or Bill, concerning the same; shall forfeit for every such Offence, the Sum of *Twenty Pounds*, with Costs of Suit.

The Fees of Scriveners, Brokers, Solicitors, &c.

The Forfeiture.

III. **And be it Enacted** *by the Authority aforesaid*, That one Moiety of all Forfeitures mentioned in this Act, shall be to the King's most excellent Majesty, his Heirs and Successors; to be paid to the Treasurer of this Colony, for and towards the Support of this his Majesty's Government, and the other Moiety to him or them that will sue for the same, in the same County where any of the several Offences are committed, and not elsewhere, by Action of Debt, Bill, Plaint or Information, in which no Essoyn, Wager of Law, or Protection shall be allowed, or more than one Imparlance.

How Forfeitures are to be appropriated.

IV. **Provided nevertheless**, *and it is the true Intent and Meaning of this Act*, That all Bonds, Mortgages, and other Specialties, executed, or which shall be executed, before the Commencement of this Act, the Obligor, or Mortgagor, or other Debtor, his or her Heirs, Executors or Administrators, shall pay to the Obligee or Mortgagee, or other Creditor, his or her Heirs, Executors, Administrators or Assigns, until the Payment of such Bond, Mortgage or other Specialty, such Interest for the Forbearance of the Money due by the same, as the said Obligor, Mortgagor or other Debtor, was bound or had agreed to pay to the said Obligee, Morgagee, or other Creditor.

This Act not to effect past Specialties.

CHAP. DCLXI.

An ACT *for confirming an Agreement and Exchange of Lands in the Township of* Oysterbay, *formerly made between* Sampson Hawkshurst *and* John Pratt, *deceased; and securing those Claiming under them, or either of them, in their Possessions; and also to secure those in their Possessions, who hold certain other Lands in the said Township, which were formerly conveyed to the said* Sampson, *by his Brother* William Hawkshurst. Pass'd the 16th of December, 1737.

Confirmed 12th *June*, 1739.

Private.

CHAP. DCLXII.

An ACT *for Naturalizing* Guystaph Martin Rhuell, Coenraad Frank, Andreas Klebsatel, Hans Lissenman, Jorg Richtmeyer, Jorg Wenss, Charles Lasher, Abraham Myers Cohen, Johan Miller, Fredericus Muzelius, Georgius Wilhelmus Mancius, Mathias Ernest, Hans Jury Haas, David Loon, Dederick Dick, Godfred Hendrick, William Will, Dies Roheseller, William Holzafret, Philip Schutts, Paul Dick, Isaac Raphael Rodrigus, *and* Pilus Yung.

Pass'd the 16th of December, 1737.

Private.

11th *GEORGE* II. A. D. 1737.

Expired 1st of *January*, 1738.
Provided for by Chap. 691.

CHAP. DCLXIII.

An ACT *to reſtrain Hawkers and Pedlars within this Colony, from ſelling without Licence.*

Paſs'd the 16th of December, 1737.

CHAP. DCLXIV.

An ACT *to prevent Damages by Swine in the County of* Orange, *and ſome Parts of* Ulſter-County; *and for repealing all former* **Acts concerning the ſame within the ſaid County of* Orange.

Paſs'd the 16th of December, 1737.

* Chap. 566, and 633.
Continued by Chap. 974.

Preamble.

WHEREAS ſeveral Acts of the General Aſſembly of this Colony, have paſſed, for the preventing of Damages by Swine, in ſome of the particular Precincts of *Orange County*, and other Parts of the ſaid County ſuffering their Swine to run at large, by Reaſon whereof great Diſputes have ariſen: For the Preventing whereof for the Future;

Former Acts for preventing of Swine running at large in *Orange* County, repealed.

I. **Be it Enacted** *by his Honour the Lieutenant-Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That all the aforeſaid Acts of General Aſſembly, for preventing of Swine running at large in any of the Precincts of *Orange County*, ſhall be repealed, and hereby are repealed to all Intents, Conſtructions and Purpoſes whatſoever, and in as full and ample Manner, as if no ſuch Acts had ever paſſed.

Inhabitants of *Orange* County, may impound Swine, if treſpaſſing.

II. **And be it further Enacted** *by the Authority aforeſaid,* That from and after the Publication of this Act, it ſhall and may be lawful for all and every the Inhabitants living in the County of *Orange*, from Time to Time, and at all Times thereafter, during the Continuance of this Act, to take, keep, or impound, (in any Pound or Place within the ſaid County) all ſuch Swine, ſmall or great, which ſhall ſo go at large, and get into their or either of their Corn Fields, Orchards, Gardens, Meadows, or other Incloſures, contrary to the true Intent and Meaning of this Act, until the Owner or Owners of ſuch Swine, ſhall pay and ſatisfy to the Perſon or Perſons who ſhall ſo take or impound them, the Sum of *Three Shillings*, current Money of this Colony, for the Treſpaſs of every ſuch Swine, beſides the Damages ſuch Perſon or Perſons ſhall have ſuſtained, by Means or Reaſon of ſuch Treſpaſs or Treſpaſſes; which Damages ſo to be had, ſhall be aſcertained by any three of the Freeholders within the ſaid Precincts, or the major Part of them agreeing.

Swine impounded after 24 Hours, to be expoſed to Sale.

III. **And be it further Enacted** *by the Authority aforeſaid,* That in Caſe the Owner or Owners of ſuch Swine, ſo taken, kept or impounded, as aforeſaid, ſhall, or will not, within Twenty-four Hours after Notice of ſuch taking, keeping or impounding, redeem their Swine, by paying the Penalties impoſed by this Act; that then and in ſuch Caſe, it ſhall and may be lawful for the Perſon or Perſons ſo taking and impounding ſuch Swine, to expoſe the ſaid Swine, (ſo taken and impounded) to open Sale to the higheſt Bidder; and the Money ariſing by ſuch Sale, to diſpoſe of the one Half to his own proper Uſe, and the other Half to the Overſeers of the Precinct, where ſuch Sale ſhall happen, for the Uſe of the Poor within the ſame.

New-Pauls, *Shawongonk*, *Pauls* River and the *Highlands* included.
Limitation of this Act.

IV. **And be it further Enacted** *by the ſame Authority,* That the Precincts of the *New-Pauls*, *Shawongonk*, *Pauls-River*, and the *High-Lands*, in the County of *Ulſter*, ſhall be and hereby are under the ſame Regulations, Reſtrictions, Fines and Forfeitures, as are before expreſs'd in this Act, concerning their Swine running at Large. This Act to continue and be in Force from the Publication thereof, until the firſt of *November*, which will be in the Year of our Lord One Thouſand ſeven Hundred and Forty-five, and to the End of the then next Seſſions.

CHAP.

CHAP. DCLXV.

11th *GEORGE* II. A. D. 1737.

Expired the 1st *November*, 1740.

An ACT *to defray the neceſſary and contingent Charges of the Garriſon of* Oſwego; *repairing the ſame, and for better regulating the Furr-Trade.*

Paſs'd the 16th of December, 1737.

CHAP. DCLXVI.

Continued by Chap. 745.

An ACT *for emitting Bills of Credit for the Payment of the Debts, and for the better Support of the Government of this Colony, and other Purpoſes therein mentioned.*

Paſs'd the 16th of December, 1737.

Preamble.

WHEREAS by the Decay of Trade, and other Difficulties which this Colony has the Misfortune to have laboured under, ſo large a Deficiency has happened in the Funds granted for the Support of his Majeſty's Government, in and over the ſame, that not only the Salaries of the Officers, but alſo the other neceſſary Services thereof, have been unpaid for the Space of two Years and upwards laſt paſt; which this Colony, in its preſent Circumſtance, with the Difficulties it ſtill labours under, is unable to diſcharge, unleſs it be done by the Means, and in the Manner herein after-mentioned. And inaſmuch as there is likewiſe a great Want of a Medium, as well to make immediate Payment of the Salaries and Services aforeſaid, as to revive the Commerce, Trade, and Navigation of the ſaid Colony, and to promote the Improvement and Settlement thereof: The General Aſſembly therefore humbly pray, that it may be enacted,

£. 48,350 in Bills to be printed.

I. **And be it Enacted** *by his Honour the Lieutenant-Governor, the Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* **That** Bills of Credit to the Value of *Forty-eight Thouſand three Hundred and fifty Pounds,* current Money of *New-York,* ſhall forthwith, after the Publication hereof, be printed, as follows, *viz.* One Thouſand Bills, each of the Value of *Ten Pounds:* Two Thouſand Bills, each of the Value of *Five Pounds:* Three Thouſand Bills, each of the Value of *Three Pounds:* Four Thouſand Bills, each of the Value of *Two Pounds:* Five Thouſand Bills, each of the Value of *Twenty Shillings:* Seven Thouſand ſeven Hundred Bills, each of the Value of *Ten Shillings*; and, Ten Thouſand Bills, each of the Value of *Five Shillings.* Upon which Bills ſhall be impreſs'd the Arms of the City of *New-York,* on the right Side of every of the ſaid Bills; and the ſaid Bills ſhall be in the Form following:

The Number and Value of the Bills.

BY a Law of the Colony of New-York, *this Bill ſhall paſs current for* ------ December 10*th*, 1737.

The Form of the Bills.

WHICH Bills ſhall be numbered by *James Alexander*, or *Simon Johnſon*, or *Peter Schuyler*, or *Peter Jay*, and ſigned by any two of them, and by the Treaſurer or Loan-Officer, to whom, by this Act, the ſaid firſt Signers are directed to deliver them.

The Signers.

II. **And be it Enacted**, That the ſaid firſt Signers are hereby directed and impowered, upon the Delivery to them of the ſaid Bills, by the Printer thereof, to adminiſter to him, and he is hereby directed to take an Oath or Affirmation, in the Words following, *viz.*

I A B. *do declare, That from the Time that the Letters were ſet, and fit to be put in the Preſs, for printing the Bills of Credit now by me delivered to you, until the Bills were printed, and the Letters afterwards diſtributed into the Boxes, I went at no Time out of the Room in which the ſaid Letters were, without locking them up, ſo as they could not be come at without Violence, a falſe Key, or other Art then*

The Printer's Oath.

11th *GEORGE* II. A. D. 1737.

then unknown to me: And therefore, to the beſt of my Knowledge, no Copies were printed off, but in my Preſence: And that all the Blotters and other Papers whatſoever, impreſſed by the ſaid Letters, whilſt ſet for printing the ſaid Bills, to the beſt of my Knowledge, are here delivered to you, together with the Stamps: And in all Things relating to this Affair, I have well and truly demeaned myſelf, according to the true Intent and Meaning of the Law in that Caſe made, to the beſt of my Knowledge and Underſtanding.

WHICH Printer, at the Time he has Orders to print the ſaid Bills, ſhall have a Copy of this Oath, that he may govern himſelf accordingly. *Provided always*, That if any unforeſeen Accident has happened, he may have the Liberty of making an Exception thereof in his Oath, he declaring fully how it was. And if any more of the ſaid Bills are printed, than by this Act is directed, when the ſaid *James Alexander*, and *Simon Johnſon*, and *Peter Schuyler*, and *Peter Jay*, or any two of them, have ſigned the Number hereby directed to be iſſued, they ſhall immediately burn and deſtroy all the Remainder.

If more Bills are printed than by this Act directed, the Surplus to be deſtroyed.

III. **And be it Enacted** *by the Authority aforeſaid*, That *Charles Le Roux*, or ſuch other Perſon as the major Part of the ſaid firſt Signers of the ſaid Bills of Credit, will agree with, ſhall engrave, according to the Directions he ſhall receive from the Majority of the ſaid firſt Signers, twenty-eight Stamps for the Sides of the ſaid Bills, and ſhall deliver them to the Treaſurer, who ſhall, in the Preſence of the Majority of the ſaid Signers, deliver them, together with the ten Stamps for the Arms of the City of *New-York*, in his Cuſtody, unto *John Peter Zenger*, upon his Receipt for the ſame. And when the ſaid *John Peter Zenger* has finiſhed and compleated the printing the Quantity and Sorts of Bills hereby directed to be ſtruck and iſſued, he ſhall re-deliver the ſaid Stamps to the ſaid Signers and Treaſurer; who are hereby obliged to ſeal them up, with their ſeveral Seals, and they are ſo to remain in the Treaſury, until they ſhall be ordered to be made Uſe of, by any future Act of Aſſembly. And the Receipt of the ſaid Treaſurer, to the ſaid *John Peter Zenger*, ſhall be a ſufficient Diſcharge for ſuch Re-delivery. But in Caſe of the Death, or Inability of the ſaid *John Peter Zenger* to print the ſaid Bills, then the Majority of the ſaid Signers ſhall appoint another Printer, for the Service aforeſaid, in his Place.

How the Stamps are to be made, delivered, returned and kept.

IV. **Be it alſo Enacted**, That before the ſaid Signers do receive any of the ſaid Bills, they ſhall (before any of the Magiſtrates of the City of *New-York*) each of them, take an Oath, *Well and truly to perform what by this Act they are enjoyned as their Duty, and will knowingly ſign no more Bills of Credit than what by this Act is directed.*

Signers Oath.

V. **And be it Enacted**, That the ſaid firſt Signers ſhall, out of the Bills of Credit by them numbred and ſigned, as aforeſaid, deliver to the Treaſurer of this Colony, the Sum of *Eight Thouſand Three Hundred and Fifty Pounds*, in ſaid Bills; to be by him paid out as by this Act is directed; and the Remainder to the Loan-Officers herein after mentioned, on producing the Certificates of Qualification herein after directed, in the Sums and Quotas following, *to wit.*

The Signers to deliver to the Treaſurer, £.8350 in the ſaid Bills.

To Loan-Officers, of *New-York*, £.10,000.

To the Loan-Officers of the City and County of *New-York*, to and for the Purpoſes herein after mentioned, the Sum of *Ten Thouſand Pounds.*

Kings County, £.24,00.

To the Loan-Officers of *Kings* County, to and for the Purpoſes herein after mentioned, the Sum of *Two Thouſand Four Hundred Pounds.*

Queens County, £.6000.

To the Loan-Officers of *Queens* County, to and for the Purpoſes herein after mentioned, the Sum of *Six Thouſand Pounds.*

Suffolk County, £.3000.

To the Loan-Officers of *Suffolk* County, to and for the Purpoſes herein after mentioned, the Sum of *Three Thouſand Pounds.*

To

To the Loan-Officers of *Richmond* County, to and for the Purposes herein after mentioned, the Sum of *Sixteen Hundred Pounds*. *Richmond* County, £. 1600.

To the Loan-Officers of *Westchester* County, to and for the Purposes herein after mentioned, the Sum of *Four Thousand Pounds*. *Westchester* County £. 4000.

To the Loan-Officers of *Dutchess* County, to and for the Purposes herein after mentioned, the Sum of *Two Thousand Pounds*. *Dutchess* County, £. 2000.

To the Loan-Officers of *Orange* County, to and for the Purposes herein after mentioned, the Sum of *Two Thousand Pounds*. *Orange* County, £. 2000.

To the Loan-Officers of *Ulster* County, to and for the Purposes herein after mentioned, the Sum of *Four Thousand Pounds*. *Ulster* County, £. 4000.

To the Loan-Officers of the City and County of *Albany*, to and for the Purposes herein after mentioned, the Sum of *Five Thousand Pounds*. *Albany*, £. 5000.

FOR which respective Sums the said Treasurer shall give his Receipt; and the Loan-Officers, respectively, shall give Receipts to the said first Signers, indorsed on the Clerk's Certificate and other Qualification, herein after directed; which Receipts shall be to the same first Signers, their Executors and Administrators, a sufficient Discharge, if otherwise they have well and truly performed the Duty enjoined them by this Act. Receipts given for them, and how.

VI. **And be it also Enacted**, That before the said Loan-Officers do respectively enter upon their said Office, every of them shall give Bond to his Majesty, his Heirs and Successors, with such sufficient Security, as shall be approved of by any three, or more of the Justices of the Peace of the City or County, *Quorum unus*, together with the Majority of the Supervisors of the same County, signified by signing such their Approbation, on the Back of the said Bond: Which Bond shall be in the full Sum by this Act committed to his Charge, with Condition, for the true and faithful Performance of his Office and Duty; and that without Favour, Malice, or Partiality. *Provided always*, That the Approbation of any three Justices, *Quorum unus*, and any three of the Supervisors of the County of *Suffolk*, shall be sufficient in that County. Loan-Officers to give Security approved of by three or more Justices of the Peace. Whose Approbation is to be enter'd on the Back of the Bond.

VII. **And be it Enacted**, That each Loan-Officer, respectively, shall take the following Oath or Affirmation. Loan-Officers Oath.

I A. B. *will, according to the best of my Skill and Knowledge, faithfully, impartially, and truly demean myself, in Discharge of the Trust committed to me, as one of the Loan-Officers, for the of by the Laws of this Colony in that Behalf made; according to the Purport, true Intent and Meaning of the said Laws, so as the Publick may not be prejudiced by my Consent, Privity or Procurement.*

WHICH Oath or Affirmation, shall be administred by any Justice of the Peace, and indorsed on the Back of the said Bond, and signed by such Justice and the Loan-Officer. Administred by a Justice, indorsed on the Bond, and signed by such Justice and Loan-Officer.

VIII. **And be it Enacted**, That the aforesaid Bond, indorsed with the Approbation, and Affidavit or Affirmation aforesaid, shall be lodged with the Clerk of the County, who, upon lodging thereof with him, shall give the Loan-Officer a Certificate, that such Bond, indorsed as aforesaid, is lodged with him; which Certificate is to be delivered to the first Signers, as aforesaid, on their delivering to him the Bills of Credit, aforesaid. Which Bond and Indorsements shall be recorded by the Clerk. And in Case of the Forfeiture of the same Bond, the Majority of the Supervisors, with any three of the Justices of the County, are hereby impowered to order the same to be put in Suit; and the Monies recovered by Virtue thereof, shall be applied to the Use of the County, on Consideration of the County's making good the Deficiences of the Borrowers in the same, as in this Act is hereafter directed. *Provided always*, That in the City and County of *New-York*, the Justices and Vestry-men, of the same City Bond to be lodged with the Clerk. And recorded. To be sued (if forfeited) by Order of the Supervisors, &c.

11th *GEORGE* II. A. D. 1737.

The Justices and Vestry-men of the City and County of *New-York*, have the Power of the Justices and Supervisors of the other Counties.

and County, shall have all the Powers by this Act given to Justices and Supervisors in the other Counties of this Colony; which Justices and Vestry-men of the City and County of *New-York*, shall also perform all the Duties and Services, and be liable to all the Pains, Penalties, and Forfeitures which the Justices and Supervisors of the other Counties are to perform and be subject to, by Virtue of this Act; and in Case of any Deficiency of the Borrowers, they shall cause such Deficiency to be assessed, levied, and raised, in such Manner as they assess, levy and raise the Tax for Minister and Poor.

First Tuesday in *February* next, Supervisors, &c. to chuse Loan Officers, and how.

IX. **And be it Enacted** *by the Authority aforesaid*, That on the first Tuesday of *February* next, the Justices and Supervisors of the respective Cities and Counties of this Colony, shall meet at the Court-House of the County, where the Majority of the Supervisors, with the Concurrence and Approbation of three Justices, one whereof to be of the Quorum, shall elect and chuse two sufficient Freeholders, of the respective Cities and Counties, to be Loan-Officers for the same City or County. And in Case the Supervisors shall be equally divided in their Votes, the Majority of the Justices present, shall determine the Choice in Favour of that Person whom they shall think proper.

X. **And be it Enacted** *by the Authority aforesaid*, That the Vestry-Men of the City and County of *New-York*, and Supervisors of the several Counties of this Colony, shall, at every of their Meetings with the Justices directed by this Act, in the first Place, take the Oath or Affirmation before any Justice of Peace, in the Words following,

The Oath of the Vestry-men and Supervisors.

I A. B. *will, according to the best of my Judgment and Knowledge, well and truly execute the Trust reposed in me, by an Act of the General Assembly of this Colony, entitled*, An *Act* for emitting Bills of Credit for the Payment of the Debts, and the better Support of the Government of this Colony, and other Purposes therein mentioned; *and that without any Favour, Malice or Partiality.*

Loan-Officers made Bodies Politick and Corporate.

XI. **And be it Enacted** *by the Authority aforesaid*, That the Loan-Officers of each of the Cities and Counties aforesaid, respectively, when elected, appointed and qualified, according to the Directions of this Act, shall be Bodies Politick and Corporate, in Fact, and in Law; *That is to say*;

The Name of the Loan-Officers of *New-York*,

The Loan-Officers for the City and County of *New-York*, shall be one Body Politick and Corporate, by the Name of, *The Loan-Officers of the City and County of* New-York.

Of *Kings* County,

The Loan-Officers for *Kings* County, shall be one Body Politick and Corporate, by the Name of, *The Loan-Officers of* Kings *County*.

Of *Queens* County,

The Loan-Officers for *Queens* County, shall be one Body Politick and Corporate, by the Name of, *The Loan-Officers of* Queens *County*.

Of *Suffolk* County,

The Loan-Officers for *Suffolk* County, shall be one Body Politick and Corporate, by the Name of, *The Loan-Officers of* Suffolk *County*.

Of *Richmond* County,

The Loan-Officers for *Richmond* County, shall be one Body Politick and Corporate, by the Name of, *The Loan-Officers for* Richmond *County*.

Of *Westchester* County

The Loan-Officers for *Westchester* County, shall be one Body Politick and Corporate, by the Name of, *The Loan-Officers of* Westchester *County*.

Of *Dutchess* County,

The Loan-Officers for *Dutchess* County, shall be one Body Politick and Corporate, by the Name of, *The Loan-Officers of* Dutchess *County*.

Of *Orange* County,

The Loan-Officers of *Orange* County, shall be one Body Politick and Corporate, by the Name of, *The Loan-Officers of* Orange *County*.

Of *Ulster* County,

The Loan-Officers of *Ulster* County, shall be one Body Politick and Corporate, by the Name of, *The Loan-Officers of* Ulster *County*.

Of *Albany*.

The Loan-Officers of the City and County of *Albany*, shall be one Body Politick and Corporate, by the Name of, *The Loan-Officers of the City and County of* Albany.

With

WITH full Power to every of the said Bodies Politick, to use a common Seal, and by the same Seal, and in the Name of such Body Politick, to grant Receipts, receive Mortgages, and again to grant the same away, to sue, and be sued; and generally with all such Powers as are necessary to be used for the due Execution of the Trust reposed in the said Loan-Officers by this Act; any Law, Usage or Custom to the contrary in any wise notwithstanding.

Their Powers.

XII. **And be it Enacted** *by the Authority aforesaid*, That when the said Loan-Officers, respectively, have qualified themselves, as above in this Act is directed, they shall receive the said Bills of Credit, signed by two of the four Signers first named, as aforesaid, which Bills the Loan-Officers, respectively, shall divide betwixt them, and each of them sign his Dividend thereof. Which Bills of Credit, so signed by two of the four first Signers, herein before-named, and by one Loan-Officer, shall be let out to such as shall apply for the same, and can and will give Security to the said Loan-Officers, by Mortgage on Lands, Lots, Houses, or other valuable Improvements, lying in the same City or County; they, the said Loan-Officers, first giving publick Notice, (as in other Cases by this Act directed for Notices) by Advertisements set up, That on a certain Day (at least ten Days after setting them up) they will be ready to receive Borrowers qualified according to the Directions of this Act; and as, on that Day, Borrowers do offer their Names, and Sums they demand, shall be orderly entered down in the Minute Book of Proceedings; and every one shall be served according to the Priority of their Demand, if reasonable Objections be not against the Title and Value of the Lands offered to be mortgaged, or some other sufficient Reason, which shall be entered also in the Minute Book of Proceedings. *Provided always*, That if, upon the first Day, so many Borrowers do offer, as to demand a greater Sum than the whole Sum in that County, to be lent out; then, and in that Case, every such Borrower shall be abated of the Sum he demanded, proportionably.

Each to sign the Bills delivered him.

Bills to be lent out on Security.

And what,

And when.

The Names of the Borrowers to be enter'd in the Minutes of Proceedings.

If more Borrowers than Money, the Sums to be proportioned.

XIII. **And be it Enacted**, That the said Loan-Officers, respectively, before they accept of any Lands, Lots, Houses, or other Improvements, in Mortgage for any of the said Bills, they shall first view what is so offered in Mortgage, or make due Enquiry into the Value thereof; and then shall examine the Titles thereto, by perusing the Deeds, Patents, Surveys, and other Writings and Conveyances by which the same is held, and by which the Value and Quantity may be the better known. And the said Loan-Officers, respectively, are hereby also impowered and required, to administer to all Persons applying for any of the said Bills, as aforesaid, the following Oath (or Affirmation) if Quakers, *to wit*,

Loan Officers to enquire into the Title and Value of the Lands offered to be mortgaged.

I A. B. *am* bona fide *seized in Fee Simple of the Lands, Tenements, and Hereditaments, by me now offered to be mortgaged, in my own Right, and to my own Use; and the same were not conveyed to me in Trust, for the Use of any Person, nor with Intent to borrow any Sum or Sums of Money upon the same, for the Use of any other Person or Persons whatsoever; and the Premisses are free and clear from any other or former Gift, Grant, Sale, Mortgage, Judgment, Extent, Recognizance, or other Incumbrance whatsoever, to my Knowledge, except the Rent issuing thereout to our Lord the King.*

Borrowers Oath.

XIV. **And be it Enacted** *by the Authority aforesaid*, That the Loan-Officers of the said Cities and Counties respectively, upon finding Borrowers qualified, and the said Loan-Officers being satisfied as aforesaid, are hereby required, and by Virtue of this Act have full Power, to lend out the Bills delivered to them, as aforesaid, at the Interest of *Five per Cent. per Annum*, for the Term of Twelve Years, from the third Tuesday of *April* next to come, in Sums not exceeding *One Hundred Pounds*, and not under *Twenty-five Pounds*, (unless the Proportion as aforesaid be less) to any one Person; the said Loan-Officers taking Security

Bills to be lent at 5 *per Cent.* Interest, for 12 Years, from third Tuesday of *April*, 1738.

In Sums not exceeding £.100. nor under £.25.

11th *GEORGE* II. A. D. 1737.

Value of Security.

How taken.

Fee for it.

What Evidence thereof.

Security for the ſame, by Way of Mortgage as aforeſaid, of at leaſt *double* the Value in Lands, Tenements and Hereditaments, and of at leaſt *three Times* the Value in Houſes, within the ſaid reſpective Cities and Counties, and adminiſtring an Oath or Affirmation to the Borrower, as aforeſaid; and the ſaid Mortgage ſhall be executed before two or more lawful Witneſſes ſigning thereto, and the Subſtance thereof ſhall be minuted in a Book, to be by the ſaid Loan-Officers kept for that Purpoſe, in each reſpective City and County; for the making of which Mortgage and Minute, the Borrower ſhall pay to the ſaid Loan-Officers, the Sum of *Four Shillings*, and no more; which Mortgage and Minute ſhall be, and each of them are hereby declared to be Matter of Record, and an atteſted Copy of the ſaid Mortgage, if in being, or of the ſaid Minute, in Caſe the Mortgage is loſt, under the Hands of the Loan-Officers, and Seal of the Loan-Office; ſhall be good Evidence of the ſaid Mortgage in any Court within this Colony.

Intereſt payable yearly, on the 3d Tueſday of *April*, and Principals in 4 equal Payments, in the Years

1747,

1748,

1749,

1750.

Receipt, &c. on Payment.

May pay ſooner.

And how.

On third Tueſday of *April*, in any Year.

On other Days if a Borrower offers.

If the whole Money be paid, the Loan-Officers, if required, ſhall give a Releaſe of the Mortgage given by the Borrower,

And ſet up Advertiſements of lending out the Principals paid in; Which are to be lent as before.

XV. **And be it Enacted** *by the Authority aforeſaid*, That the Intereſt of the Money, lent as aforeſaid, ſhall be payable yearly, on the third Tueſday of *April*, to the ſaid Loan-Officers; and the Principals of all the Monies lent out, as aforeſaid, ſhall be paid in again in the Manner following, *That is to ſay*; One fourth Part of the Principal Money, on the third Tueſday of *April*, which will be in the Year of our Lord One Thouſand ſeven Hundred and Forty-ſeven: One other fourth Part thereof, on the third Tueſday of *April*, One Thouſand ſeven Hundred and Forty-eight: One other fourth Part thereof, on the third Tueſday of *April*, One Thouſand ſeven Hundred and Forty-nine; and the remaining fourth Part thereof, on the third Tueſday of *April*, One Thouſand ſeven Hundred and Fifty. And the reſpective Loan-Officers, at the lending of the Money, are hereby required to take the Security for the ſame accordingly. And the ſaid Loan-Officers, for every Sum paid to them, ſhall give to the Payer a Receipt, and ſhall alſo enter one Minute of the ſame Payment, on the Back of the Mortgage, and another Minute thereof, in the Book of Accounts by them to be kept; and that without any Fee or Reward. But if the Borrower, his Heirs, Executors, or Adminiſtrators, ſhall ſee Cauſe to pay in a Fourth, or a Half, or three Quarters, or the Whole of the Principal, due to the ſaid Loan-Office, on any third Tueſday of *April*, before the ſaid third Tueſday of *April* in the Year of our Lord One Thouſand ſeven Hundred and Forty-ſeven, the ſaid Loan-Officers are hereby impowered and required to receive the ſame on that Day, and no other Day of the Year; unleſs ſo many do offer Payment on that Day, that the Loan-Officers cannot, within the Day, receive the Whole; and in that Caſe, they are to continue to receive until all that on that Day offered, have paid in the Monies ſo offered; and unleſs he brings along with him another ſufficient Borrower to give new Security, to the Satisfaction of the Loan-Officers, for the Whole of the Money by him paid in; and in that Caſe, the Loan-Officer ſhall accept thereof, on any of their ſtated Days of Meeting; and when the whole Principal and Intereſt is paid, the ſaid Loan-Officers ſhall, if required, give the Party paying, a Releaſe of the Mortgage given by the Borrower, and ſhall tear off the Name and Seal, and make an Entry in the Margin of the Mortgage, and in the Margin of the Minute made thereof, That ſuch a Day and Year ſuch Releaſe was made; for which Releaſe the Releaſee ſhall pay the Sum of *Two Shillings*, and no more: And when any Parts of the Principals are paid in, as aforeſaid, before the ſaid third Tueſday of *April*, One Thouſand ſeven Hundred and Forty-ſeven, the Loan-Officers ſhall, at the End of that Meeting, compute the Sum of the whole Principals, ſo paid in, and give publick Notice of the Sum, by Advertiſements ſet up; and that on that Day-Week, they will be ready to receive Borrowers of the ſaid Monies, to whom the ſaid Loan-Officers ſhall lend the ſame out; and in the Lending and taking Security, ſhall conform themſelves (as near as the Circumſtance of the Caſe can admit)

admit) to the Directions herein before prescribed. And if any Money still remains in their Hands, for Want of Borrowers, they shall set up Advertisements of the Sum thereof; and continue to do the like at the End of every of their stated Meetings.

The Continuance of such Advertisements.

XVI. **And be it Enacted**, That in Case any Loan-Officer shall die, or remove, or neglect, delay, or refuse, or omit performing the Duty required or enjoined him by this Act, or shall behave himself in his Office with Favour, Affection, Partiality or Malice, whereby the Publick, or any private Person, may be injured; upon Report or Complaint made thereof, to any three Justices *(Quorum unus)* of the respective City or County to which he belongs, the said Justices are hereby required and commanded to issue out their Precepts, to call together the Justices and Supervisors of the same County, to meet at such Time and Place as in the said Precept shall be appointed, to hear and determine summarily, upon the said Report or Complaint; and upon sufficient Proof, made to any three of the said Justices, *(Quorum unus)* with the major Part of the said Supervisors, of any Death, Removal, Failure, or Neglect, in the said Office, as aforesaid; then, and in that Case, the said Majority of the Supervisors, with Concurrence of three Justices, one thereof to be of the Quorum, shall proceed, in Manner as herein before directed, to elect and chuse, and are hereby required and commanded, to elect and chuse a Loan-Officer, in the Room and Stead of such deceased or absent Person, or Omitter or Defaulter; which Loan-Officer, so chosen as aforesaid, having entered into Bond, and been qualified in like Manner as other Loan-Officers are by this Act directed, shall then have all the Powers, Privileges and Advantages, and be subject to all the Pains, Penalties and Forfeitures, which any of the Loan-Officers of the County, elected, as aforesaid, are vested with, entitled to, charged with, or subject to, by Virtue of this Act.

For what a Loan Officer shall forfeit his Office.

How another shall be elected.

XVII. **And be it Enacted**, That if any of the Loan-Officers hereafter to be elected and appointed, by Virtue of this Act, shall, at any Time hereafter, desire to be discharged of and from the said Office, he applying himself to any three Justices *(Quorum unus)* for that Purpose; they shall, upon that Application, issue their Precept, to summon the Justices and Supervisors to meet, at a Place and Day by the said Precept prefixed, to whom, when met, the said Loan-Officer shall produce or render an Account of his Proceedings in his said Office; and if it appear upon Examination, that the said Loan-Officer hath faithfully demeaned himself in the Discharge of his said Office, according to the true Intent and Meaning of this Act; then, and in such Case, such Loan-Officer shall, by the Majority of the Supervisors, with the Concurrence of three Justices *(Quorum unus)* be discharged of and from his said Office, and another fit Person shall by them be elected and appointed, to supply his Place, who shall take the same Oath or Affirmation, give the like Security, be under and subject to the like Penalties, Restrictions, and Regulations, and receive the same Salaries and Advantages, whatsoever, as the other Loan-Officers for that County, by Virtue of this Act.

How a Loan Officer may resign his Office.

And another be elected.

XVIII. **And be it Enacted** *by the Authority aforesaid*, That when a Loan-Officer shall be chosen and qualified, as herein is directed, in the Place of a former Loan-Officer, such former Loan-Officer, his Executors or Administrators, shall, upon Demand, deliver to the new Loan-Officer, chosen in his Place, and qualified, as aforesaid, all the Monies, Books and Papers, that were in such former Loan-Officer's Custody, belonging to his Office, upon Oath before any Justice of the Peace; and in Case, any such former Loan-Officer, or his Executors or Administrators, shall deny, delay, or refuse to make such Delivery on Oath, when demanded, as aforesaid, the Bond of such former Loan-Officer shall be forfeited.

Books and Papers of a former Loan Officer, to be delivered to the new Loan-Officer,

On Pain of Forfeiture of the Bond of such former Officer.

11th *GEORGE* II. A. D. 1737.

On Non-payment in 22 Days, Equity of Redemption foreclosed.

XIX. **Be it also Enacted**, That if any Borrower shall neglect to bring in and pay, or cause to be brought in and paid, yearly and every Year, on the third Tuesday of *April*, or within twenty-two Days thereafter, on one of the Days which the Loan-Officers aforesaid, are, by this Act, directed to attend the respective Loan-Offices, the yearly Interest due by his Mortgage, and also the Part of the Principal, as it becomes payable; then, and in either of these Cases, the Loan-Officers to whom such Mortgage was granted, shall be seized of an absolute, indefeasable Estate, in the Lands, Houses, Tenements, and Hereditaments thereby mortgaged to them, their Successors and Assigns, to the Uses in this Act mentioned; and the Mortgagor, his or her Heirs and Assigns, shall be utterly foreclosed and barred of all Equity of Redemption of the mortgaged Premisses; any Law, Usage, or Custom, or Practice in Courts of Equity, to the contrary notwithstanding.

The Loan-Officers shall attend on the third Tuesday of *April*, in every Year, and three Tuesdays thereafter.

XX. **Be it further Enacted**, That the said Loan-Officers, respectively, shall attend the Loan-Office every Year, to receive the Monies by this Act directed to be paid in to them, upon the third Tuesday of *April*; and thereafter, on the Tuesday in each Week, for the Term of three Weeks.

Advertisements of the Sale of the Mortgages forfeited, shall be fixed up, and that the Lands are to be sold on the last Tuesday of *May* in the same Year.

XXI. **And be it Enacted**, That the said Loan-Officers shall, in the Evening of the last of the Tuesdays, aforesaid, yearly and every Year, give sufficient Directions, which they are to take Care shall to be observed, for fixing up Advertisements, at three of the most publick Places, in at least three or more distinct Towns or Precincts of the County where the Premisses are situate, of all the Lands contained in the Mortgages, whereof the Equity of Redemption is foreclosed, as aforesaid, describing the Quantity and Situation of the same; and that on the last Tuesday of *May*, in the same Year, they are to be sold, at the Court-House of the respective County where the Lands lye, by Way of publick Vendue, to the highest Bidder.

The Loan-Officers on the last Tuesday of *May*, yearly, shall expose such Lands to Sale at publick Vendue, & convey the same to the highest Bidder, who shall pay for the Deed, and hold the Land discharged of all Equity of Redemption.

XXII. **Be it likewise Enacted**, That the Loan-Officers of the respective Cities and Counties aforesaid, shall, on the said last Tuesday of *May*, yearly, expose the Lands, in the Mortgages foreclosed as aforesaid, to Sale, by Way of publick Vendue; and, upon Sale, shall convey them to the highest Bidder, or Bidders, who shall pay for their Deeds *Five Shillings*. And the Buyer or Buyers shall and may hold and enjoy the same for such Estate, as they were sold, clearly discharged and freed from all Benefit and Equity of Redemption, and all other Incumbrances made and suffered by the Mortgagor, his or her Heirs or Assigns; and such Sales shall be available in Law and Equity.

Loan-Officers to retain the Principal and Interest to the 3d Tuesday of *April* thereafter, & 15*s.* for Sale, and pay Surplus to the Mortgagor.

If Borrowers offer no Interest after Sale.

Buyer preferred to other Borrowers.

XXIII. **And be it Enacted**, That the Money or Price for which the Premisses are sold, shall, upon the Sale thereof, be paid to the said Loan-Officers, out of which they shall retain in their Hands, what has not been paid in of the whole Principal lent, together with the Interest that has become due thereon, and might become due until the third Tuesday of *April* next thereafter, as also the Expence of the Advertisements, and of the Sale, the same not exceeding *Fifteen Shillings*, and the Remainder (if any be) the Loan-Officers shall pay to the Mortgagor, his or her Heirs and Assigns. *Provided always*, That if a Person offers, at the Time of the Sale, to borrow (on sufficient Security within this Act) the whole Principal that is to be retained out of the Price, and lent out again; then, and in that Case, the Loan-Officers shall not retain Interest beyond the Day of Sale. *Provided also*, That if the Buyer incline to be the Borrower of the Principal or Principals, that is, or are to be paid in by him, and lent out again, and if the Loan-Officers be satisfied of the Security to be given by him, in Manner aforesaid, he shall be preferred to any other Borrower. *Provided likewise*, That the Loan-Officers shall not be obliged to take Notice of

of any Assigns of the Mortgagor, unless they enter a Notice of their Right with the said Loan-Officers, at or before the Time of Sale; which Notice the Loan Officers shall enter on the Mortgage and Minute thereof, on Demand, the Assignee paying *One Shilling* for the same; and Assigns shall be preferred according to the Priority of their Entries of such Notices.

Assigns of the Mortgagor to enter Notice for which they shall pay 1*s.* and shall be preferred according to the Priority of their Entries of such Notices.

XXIV. **And be it Enacted**, That after any Lands, Houses, Tenements or Hereditaments, are mortgaged, according to the Directions of this Act, if it shall appear to the Loan-Officers, upon good and sufficient Grounds, (which they shall incert in the Minute Book of their Proceedings) that the Mortgagor had no good Right or Title to the Premisses mortgaged, or has otherwise broke the Covenants of his Mortgage, so that the Publick may be in Danger of losing the Monies, or any Part thereof, advanced in Loan upon the Credit of the Premisses; it shall and may be lawful to and for the said Loan-Officers, and they are hereby impowered and required, to commence an Action or Actions of Debt or Covenant, upon the said Mortgage, against the Mortgagor, his or her Heirs, Executors or Administrators, and the same to prosecute to Judgment, in any Court of Record, for the Recovery of the whole Monies lent upon the said Mortgage, and Interest become due, and that shall become due, until the third Tuesday of *April* next following the Judgment, with Costs and Charges, by all lawful Ways and Means whatsoever; in which Action or Actions, the Mortgagor shall be held to Special Bail, and the Court in which such Action is brought, is, and the Judges thereof in Vacation, are, hereby authorised and directed, to give such short Days for the Rules of Pleading therein, that Judgment or a Trial, and final Determination, may be had the first Court after the Court at which the Defendant first appeared to the same Action; and such Action shall be brought (if the Defendant be found within this Colony) in the County where the Cause of Action arises.

For want of Title or Breach of Covenant, Mortgagor to be sued.

And Trial to be the second Court after the Defendant appeared to the Action.

XXV. **And be it Enacted**, That the aforesaid Bills of Credit, to be made and issued by Virtue of this Act, when signed by any two of the first Signers aforesaid, and the Treasurer, or one Loan-Officer, shall be and continue current for and during the Time and Space of *Twelve Years*, from the third Tuesday of *April* next to come, between Man and Man; but shall be received by the said Treasurer and Loan-Officers, for *Six Months* thereafter.

Currency of Bills 12 Years from 3d Tuesday of *April*, 1738.

XXVI. **And be it further Enacted** *by the Authority aforesaid*, That the Bills of Credit appointed by this Act to be current, when signed as aforesaid, shall be received by the Treasurer of this Colony in all publick Payments, and for any Fund at any Time in the Treasury, and by any Person within this Colony, in all Cases whatsoever, during the Time they are enacted to continue, and be as effectually current, as any other Bills of Credit made current in this Colony, by any Act of the General Assembly of the same; and any Person refusing to take them in Payment, during the Time hereby appointed for the said Bills to be current, for any Sum due, or hereafter to become due, or for any Contract already made, or hereafter to be made, or for any Consideration whatsoever, for any Effects or Services already delivered or performed, or hereafter to be delivered or performed; shall be liable, and is hereby made liable and subjected to all the Penalties and Forfeitures contained in any or all the Acts of the General Assembly of this Colony, at any Time enacting and enforcing the Currency of Bills of Credit, as fully, to all Intents, Constructions and Purposes whatsoever, as if the Words of all, or any of the Acts aforesaid, relating to the Bills of Credit, or enacting and enforcing the Currency of the Bills of Credit in them mentioned, had been particularly expressed or transcribed, and herein and hereby enacted.

To be received by the Treasurer, and every one, as other Bills.

Penalty as in Case of Refusal of other Bills.

XXVII.

11th *GEORGE* II. A. D. 1737.

Counterfeiting or altering of them, Felony without Benefit of Clergy.

XXVII. **And be it further Enacted,** That if any Perſon or Perſons whatſoever, ſhall preſume to counterfeit any of the Bills of Credit made current by this Act, or ſhall alter any of the ſaid Bills, made current as aforeſaid, ſo that they ſhall appear to be of greater Value than by this Act the ſame Bill or Bills ſo altered, were enacted, ſigned, or numbred to paſs current for, or ſhall knowingly paſs or give in Payment, any of the Bills aforeſaid, ſo counterfeited or altered; every Perſon guilty of counterfeiting or altering any of the ſaid Bills, as aforeſaid, or of knowingly paſſing or giving in Payment any ſuch counterfeit or altered Bills, ſhall be guilty of Felony, and being thereof convicted, ſhall ſuffer the Pains of Death, without the Benefit of Clergy; and though ſuch counterfeiting, altering, or knowingly paſſing counterfeit or altered Bills, ſhall be done out of this Colony, yet any Grand Jury within this Colony, is hereby impowered to preſent the ſame, and to ſet forth in the Indictment, the Place where, by their Evidence, it appeared that the Fact was committed; which Indictment is hereby declared good, notwithſtanding that the Place alledged be out of this Colony; and the Petty Juries, on the Trials of all ſuch foreign Iſſues, ſhall be returned from the Body of the City and County of *New-York*; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

Such Facts out of this Colony, tryable in it,

And how.

Loan-Office to be at or near the Court-Houſe.

Advertiſements of the firſt Day of opening thereof, and Days of Attendance, to be ſet up.

The firſt Signers to ſend Notice to the Loan-Officers of the Day they can deliver the Bills.

XXVIII. **And be it alſo Enacted,** That the reſpective Loan-Offices in this Colony, ſhall be kept at the Court-Houſe of each reſpective County, or at ſome other convenient Place near the ſame; and the ſaid Loan-Officers ſhall, ſo ſoon as the ſaid Bills are ſigned and delivered to them, ſet up Advertiſements of the firſt Day of their attending the Loan-Office, for the Purpoſes herein before mentioned, and ſhall duly attend the ſame, on that firſt Day, and on every Tueſday and Wedneſday in each Week, for the Space of four Weeks thereafter, if there be Occaſion of their ſitting ſo long. And the firſt Signers aforeſaid, as ſoon as they can fix the Day, upon which they can deliver the ſaid Bills to the Loan-Officers, ſhall ſend Notice, by Letters to them, to come and receive the Bills, at that Day.

Loan-Officers may retain their Salaries out of the Intereſt, and pay the Reſt to the Treaſurer by the 4th Tueſday of *June*.

XXIX. **And be it Enacted,** That the Loan-Officers, reſpectively, ſhall retain in their Hands, ſo much of the Intereſt Monies paid in to them, as will pay them their reſpective Salaries appointed by this Act; and the Remainder of the ſaid Intereſt Monies, ſhall be annually paid in to the Treaſurer of this Colony, on or before the fourth Tueſday of the Month of *June*; and the ſaid Treaſurer's Receipt, ſhall be to the ſaid Loan-Officers, and every of them, their Heirs, Executors and Adminiſtrators, a ſufficient Diſcharge.

The Salaries of the ſeveral Loan Officers.

XXX. **And be it further Enacted,** That the yearly Salaries of the Loan-Officers aforeſaid, for the Services required of them by this Act, ſhall be as follows, *To wit*.

For every of the Loan-Officers of the City and County of *New-York*, *Twenty Pounds*.

For every of the Loan-Officers of *Kings-County*, *Seven Pounds Ten Shillings*.

For every of the Loan-Officers of *Queens-County*, *Twelve Pounds*.

For every of the Loan-Officers of *Suffolk County*, *Eight Pounds*.

For every of the Loan-Officers of *Richmond County*, *Six Pounds Ten Shillings*.

For every of the Loan-Officers of *Weſtcheſter County*, *Ten Pounds*.

For every of the Loan-Officers of *Dutcheſs County*, *Seven Pounds*.

For every of the Loan-Officers of *Orange County*, *Seven Pounds*.

For every of the Loan-Officers of *Ulſter County*, *Ten Pounds*.

For every of the Loan-Officers of the City and County of *Albany*, *Twelve Pounds*.

XXXI

XXXI. **And be it Enacted** *by the Authority aforesaid*, That the Supervisors and Justices of the several Counties of this Colony, shall, on the first Tuesday of *June*, which will be in the Year of our Lord One Thousand Seven Hundred and Thirty-nine, and Yearly thereafter, on the first Tuesday of *June*, meet together, with the said Loan-Officers, at the Court-House of the County; and the Majority of the Supervisors, with any three of the Justices, shall carefully inspect and examine the Mortgages, Minutes and Accounts of the Loan-Officers, to find whether they have been in any Way faulty or negligent in their Offices; and if they find so, then to chuse others in their Places, as aforesaid: When also, if any Deficiency has happened, by a Borrower's not having Right to the Lands mortgaged, or by the Selling thereof for a less Price than what before is mentioned, or any other Way whatsoever; then, they the said Supervisors, or the Majority of them, with the Concurrence of three Justices (*Quorum unus*) shall cause all such Deficiencies to be assessed and levied of the County, as other County-Charges; so that the Whole of such Deficiencies be paid in to the said Loan-Officers, by the third Tuesday of *April* then next following; which Supervisors, or the Majority of them, with the Concurrence of any three Justices (*Quorum unus*) shall also, upon the first Tuesday of *June* One Thousand Seven Hundred and Forty-seven, and on the first Tuesday of *June* of each of the three next following Years, examine the Bills then before paid in, as Part of the Principals, in order to be cancelled, and also the Accounts thereof; which Accounts and Bills being carefully examined and inspected, the Bills shall be ‡ cancelled, by laying some Number of them, orderly, one above another, and cutting a Triangle from the upper Side of them, whose Base may be nearly the Length of the Bills, and whose Vertex may extend towards the Middle of the lower Side of the Bill, leaving the Number of the Bill entire, and as much as is convenient, of the Signers Names, and both Ends of the Bills joined; which Pieces, separated, will appear in this Form, And all the Bills aforesaid, being so cut, the Triangles cut out, shall be burned and destroyed, in the Presence of the said Justices and Supervisors: And the Ends of the said Bills, joined as aforesaid, shall be carefully put up, tied and sealed with the Seals of the said Justices, Supervisors, and Loan-Officers; and the Sum in each Bundle, and the Day and Year the same were cancelled, with the Name of the County endorsed thereon; and a Certificate of the said Justices and Supervisors, of the Sum of the Bills so cancelled, shall be sufficient for the Loan-Officers to account with the General Assembly, on that Affair: And which Bundles, so tied and sealed, as aforesaid, shall be, by the said Loan-Officers, delivered to the Treasurer, at the Time they deliver to him, the Interest Monies of that Year; which Treasurer shall give his Receipt for the same, mentioning therein the Numbers, Sums, and Marks, endorsed on the Bundles, and shall carefully preserve them, in order that they may be inspected by the General Assembly, and compared with the Certificates aforesaid, of the Justices and Supervisors, if Need be; and if any Suspicion should thereafter arise, of Fraud, or of Counterfeits, that the same may be detected, and such Course taken therein, as to the General Assembly shall seem meet; and the said Treasurer shall keep an exact Account of the Bundles he so receives, of the Sums mark'd on each Bundle, from what County, and when received, with other Marks thereof, and lay a Copy of the same Account before the General Assembly, from Time to Time, at their Meetings.

On 1st Tuesday of *June*, yearly, Loan Officers Accounts to be examined by Supervisors, &c.

And Deficiencies to be assessed, to be paid 3d Tuesday of *April*,

And on first Tuesday of *June* 1747, and of each of the three next Years following, to sink the Principals.

And how.

The Triangles cut out of the Bills, to be burnt,

And the Rest bundled and sealed, and

Delivered to the Treasurer.

To be inspected, if Need be, by the General Assembly.

Treasurer to keep Account thereof.

XXXII. **And be it Enacted** *by the Authority aforesaid*, That in Case three of the Justices (*Quorum unus*) and a Majority of the Supervisors aforesaid, shall not meet on the first Tuesday of *February* next to come; or in Case they shall

‡ *So much of this Section as relates to the cancelling of the Bills, is* repealed by Chap. 861, Sect. I; *and some further Alteration made by* Sect. V. *of the same* Chap.

11th *GEORGE* II. A. D. 1737.

not meet yearly, on the firſt Tueſday of *June*; or in Caſe they ſhall not meet, when ſummoned by a Precept of three Juſtices, whereof one to be of the Quorum, for the ſeveral Purpoſes in this Act mentioned; every of them, in either of theſe Caſes, that are abſent, ſhall forfeit the Sum of *Three Pounds*; and the Juſtices then attending, ſhall iſſue their Precept to one or more Conſtables, to ſummon the Juſtices and Superviſors, to attend that Day-Week, for the Purpoſes aforeſaid, under double the Penalty aforeſaid; which, each neglecting then to attend, if duly ſummoned, ſhall alſo forfeit, tho' a ſufficient Number do appear. And in Caſe a ſufficient Number do not then appear, the Juſtices appearing, ſhall proceed in like Manner, from Week to Week, till a full Number of Juſtices and Superviſors do appear, to perform the Duty for which they before ought to have met. And in Caſe the ſaid Superviſors, or Veſtry-men, or either of them, when a Majority of them are met, ſhall neglect or refuſe to take the Oath or Affirmation herein preſcribed, or neglect or refuſe to do the Duty enjoined them by this Act, when met, or ſhall, on any Pretence whatſoever, on the Day of their annual Meeting, neglect or omit the cauſing to be aſſeſſed, levied, and raiſed, the whole Deficiences that have happened by any of the Means aforeſaid; every of them, neglecting their Duty herein, ſhall forfeit to his Majeſty the Sum of *Five Pounds*: All which Penalties, before in this Clauſe mentioned, are to be recovered in any Court of Record within this Colony; one Half to the Uſe of ſuch Juſtices and Superviſors of the ſame County, endeavouring to perform their Duty herein, who will ſue and inform againſt the reſt, and proſecute their Suit to Effect; and the other Half to be paid to the Treaſurer, and applied towards cancelling the Bills of Credit, in ſuch Manner as ſhall be directed, by Act or Acts of the General Aſſembly. And in Caſe none of the Juſtices and Superviſors aforeſaid, ſhall, within three Months after ſuch Forfeitures, ſue and inform againſt the reſt, or ſhall, by Coven or Colluſion, delay proſecuting their ſaid Suit to Effect; then every of the ſaid Juſtices and Superviſors, are hereby declared to be guilty of the ſame Neglects; and every of them ſhall forfeit the like ſeveral Penalties and Forfeitures, as the other Juſtices and Superviſors, whom they ought to have ſued and informed againſt; to be recovered by any Perſon or Perſons who will ſue for the ſame, in any Court of Record within this Colony; one third Part thereof to the Uſe of the Proſecutor, with Coſts; and the other two Thirds to be paid to the Treaſurer, and to be applied, by Act of Aſſembly, towards cancelling the Bills of Credit. *Provided always*, That if the Majority of the Superviſors of any County, upon the firſt Tueſday of *February* next, or at their firſt Meeting, in Purſuance of this Act, ſhall be of Opinion, that no Part of the ſaid Bills ſhall be taken for their County; then, and in that Caſe, they ſhall not be obliged to chuſe any Loan-Officers, according to this Act, nor ſubject to any Forfeiture for the not doing thereof.

If Superviſors meet not, &c. Penalty £. 3.

What next to be done, and the Penalty.

Neglect of their Duty when met, Penalty £. 5.

Thoſe endeavouring to do their Duty, to ſue the Reſt.

If they neglect it, they are guilty, and any one may ſue all of them.

The Majority of the Superviſors of any County, being of Opinion that no Bills ſhall be taken by their County, need not chuſe Loan-Officers.

XXXIII. **And be it Enacted**, That all and every the Sums of Money, which may, at any Time afterwards, be recovered, by the Loan-Officers aforeſaid, of ſuch Perſons as have been the Occaſion of ſuch Deficiencies, as aforeſaid, ſhall be applied to the Uſe of ſuch County; and the Juſtices and Superviſors are hereby impowered to take all lawful Ways and Means, in the Name of the ſaid Loan-Officers, to recover the ſame.

The County to have Benefit of what's recovered of Deficiencies.

XXXIV. **And be it further Enacted** *by the Authority aforeſaid*, That it ſhall and may be lawful for the ſaid Loan-Officers, to let out upon Loan, any of the ſaid Bills of Credit, in ſuch Manner as they ſhall think beſt, upon Security of good Plate, to be delivered to them at *Six Shillings per Ounce*; to be paid in again to the ſaid Loan-Officers, on the third Tueſday of *April* then next, with a Year's Intereſt at *Five per Cent.* for the ſame; and in Caſe of Non-payment at any of the two firſt ſtated Days of Meeting of the Loan-Officers; then the ſaid Loan-

The Loan-Officers may lend on Plate at 6*s. per* Ounce.

Loan-Officers are to ſell the ſame Plate, in ſuch Manner, and upon the ſame Day, as they are directed to ſell the Lands of the Mortgages forfeited, as aforeſaid; and they are to return the Overplus to the Owner (if any be) after Payment of the Principal and Charges, with Intereſt paſt, and to come, until the third Tueſday of *April* then next to come; unleſs a Borrower offers at Time of Sale, as in Caſe of Lands herein before mentioned; any Thing in this Act to the contrary notwithſtanding.

On four Weeks Want of Borrowers, Sums above £.100 may be lent

XXXV. **And be it Enacted**, That if any of the ſaid Monies ſhall remain in the Hands of the Loan-Officers, four Weeks after the firſt Day of letting it out, for Want of Borrowers; it ſhall be lawful to them to let out the ſame, on good Security, by Mortgage of Lands in the County, or on Plate, as aforeſaid, to any Perſon who will borrow the ſame, in any Sums, though they be upwards of *One Hundred Pounds*.

On eight Weeks Want of Borrowers, they ſhall carry it to the Loan-Officers of the next County, where more Monies are demanded in Loan than there are to lend.

XXXVI. **Be it Enacted** *by the Authority aforeſaid*, That if any of the Bills of Credit ſhall remain four Weeks over and above the four Weeks aforeſaid, *that is to ſay*, in all eight Weeks, in the Hands of the Loan-Officers, for Want of Borrowers, after the firſt Day of letting out, as aforeſaid; then, and in that Caſe, the ſaid Loan-Officers, or one of them, by the Conſent of the other, to be entred and ſigned in the Minute Book of Proceedings, ſhall carry it to the Loan-Officers of the next County or Counties, where there were more Monies demanded in Loan, than there were Monies to lend, and deliver it to the Loan-Officers of ſuch next County, upon their Receipt for the ſame, and their entering a Memorandum of it in the Minutes of their Proceedings; which Loan-Officers, to whom ſuch Sum is brought, ſhall accept thereof, and ſhall ſet up Advertiſements thereof, and therein aſſign a Day in the next Week, for Borrowers to offer; and ſhall proceed in the lending this further Sum in their County, as nearly as the Circumſtance of Things can admit, in the like Manner as they proceeded in lending the firſt Sum; of which Tranſpoſition of thoſe Monies, the Loan-Officers of the ſeveral Counties, ſhall give Notice in Writing, ſigned by them, to the Treaſurer, at the Time of their paying to him the firſt Intereſt Monies thereafter; of which Notices to him, he ſhall enter Memorandums in his Books of Accounts; the better to aſcertain the Intereſt he is to receive yearly from the reſpective Counties, and the principal Sums that the Counties are finally to cancel.

Notice thereof to be given to the Treaſurer, who is to enter Memorandums thereof in his Book.

Borrowers deviſing, and dying after Mortgage, perſonal Eſtate to pay the Debt.

If before Mortgage, Deviſee to pay it.

Executors faulty, to pay double the Damages.

XXXVII. AND to prevent Frauds that may happen by Executors or Adminiſtrators, in their Non-Payment of any Part of the Money borrowed, as aforeſaid, by their reſpective Teſtators or Inteſtates; **Be it Enacted**, That if any Perſon or Perſons, that ſhall become Borrowers of the Bills made current by this Act, and ſhall afterwards make his, her or their laſt Will and Teſtament, in due Form of Law, thereby deviſing the Premiſſes ſo mortgaged, to any other Perſon or Perſons, leaving perſonal Eſtate ſufficient to pay his or her Debts, with an Overplus, not otherwiſe in the ſaid Will diſpoſed of, and not expreſsly providing in other Manner, by the ſaid Will; in ſuch Caſe it ſhall be underſtood, that the Deviſor intended, that the Mortgage Money in Arrear at the Time of his Death, ſhould be paid out of his perſonal Eſtate; and his Executor or Executors, ſhall be accordingly compelled to pay the ſame thereout, in Aid of ſuch Deviſee or Deviſees: But in Caſe the ſaid laſt Will was made before the Premiſſes were mortgaged, then it ſhall be underſtood, that the Teſtator's Intent was (unleſs otherwiſe expreſſed in ſuch Will) that the Deviſee or Deviſees, ſhould pay the Reſidue of the Mortgage Money in Arrear, at the Time of ſuch Teſtator's Death. And in Caſe any Executor or Executors, contrary to the Intent of this Act, having Effects ſufficient, ſhall permit a Sale to be made of the Premiſſes mortgaged; ſuch Deviſee or Deviſees, may immediately have his, her or

11th *GEORGE* II. A. D. 1737.

or their Action, either in proper Perſon, or by Guardian, or next Friend, if under Age, againſt ſuch Executor or Executors, and recover double the Damages ſuſtained, with Coſts of Suit: And in Caſe any Executor or Executors, ſhall in ſuch Caſe, be a Purchaſer of the Premiſſes ſo mortgaged, or any other in Truſt for him, or for his Uſe; he or they ſhall be deemed ſeized of the Premiſſes, for the Uſe of the Deviſee or Deviſees; and ſuch Executor or Executors, and their Truſtees, are hereby diſabled from making any Conveyance thereof, from ſuch Deviſee or Deviſees; and if any ſuch Conveyance is made, the ſame is hereby declared fraudulent and void, againſt ſuch Deviſee or Deviſees.

If Executors purchaſe, it is for the Uſe of the Deviſee.

XXXVIII. **And be it Enacted,** That in Caſe any Mortgagor die inteſtate, the Mortgage Money aforeſaid, or any Part thereof, being in Arrear and unpaid, and leaving perſonal Eſtate ſufficient to pay his Debts, with an Overplus, his Heir at Law being under Age when any Part of the ſaid Mortgage Money ſhall become due; in ſuch Caſes, the Mortgage Monies ſhall be paid out of the perſonal Eſtate, if ſufficient, and the Profits of the Premiſſes mortgaged, ſhall be applied towards Re-payment of the ſaid Monies, to ſuch Perſon or Perſons as may be intitled to the ſame, where it ſo happens, that the Part of the perſonal Eſtate coming to the ſaid Heir at Law, is not ſufficient to diſcharge ſuch Mortgage; and in Caſe the Profits of the mortgaged Premiſſes, ſhall not be ſufficient to make ſuch Re-payment, the Heir at Law ſhall be compelled to make it up, with Intereſt, when he, ſhe or they come of Age. And where any Sales ſhall happen to be made, purſuant to the Tenor of this Act, after the Death of the Teſtator or Inteſtate, becauſe of the Deficiency of the perſonal Eſtate of the Teſtator, or Inteſtate, his or her Heirs, or Deviſees, being then under Age; in ſuch Caſe, the Monies ariſing by ſuch Sale, after the Deduction of the Principal, Intereſt, and Coſts due to the Loan-Office, ſhall be placed out to Intereſt, by the Executors or Adminiſtrators, for the Benefit of ſuch Heir or Deviſee, or Perſon intitled to ſuch Lands.

Mortgagor dying inteſtate, and his Heir under Age, perſonal Eſtate to pay the Debt, if ſufficient.

How much ſuch Heir is to re-pay.

And how.

On Sales, if Heir be under Age, Surplus to be put to Intereſt for him by the Executors.

XXXIX. **And be it Enacted** *by the Authority aforeſaid,* That if any County of this Colony, ſhall neglect or refuſe to chuſe Loan-Officers who will accept of the Office, and qualify themſelves according to the Directions of this Act, on the firſt Tueſday of *February* next, or within eight Weeks thereafter; or if no Loan-Officers come to the ſaid firſt Signers, from any particular County of this Colony, to receive the Quota of Bills for that County appointed by this Act, on the Day to be appointed, as aforeſaid, by the ſaid firſt Signers for that Purpoſe, or on or before the fourth *Tueſday* of *April* next; then, and in that Caſe, the ſaid firſt Signers ſhall deliver that Quota to the Loan-Officers of any other County or Counties deſiring the ſame, to be lent out as aforeſaid; and the Salaries appointed for the Loan-Officers of the County refuſing the Bills as aforeſaid, ſhall be divided amongſt the Loan-Officers of the Counties accepting, in Proportion to the Bills they receive.

If any County neglects to chuſe Loan-Officers; or if they neglect to demand the Bills till 4th Tueſday of *April*, 1738, Signers to give the Bills to other Counties; and Salary of Loan-Officers for the County refuſing, to be divided in Proportion among the Loan-Officers of the Counties accepting.

XL. **And be it Enacted** *by the Authority aforeſaid,* That the Borrowers may pay their Intereſt and Principals in any of the Bills of Credit of this Colony or in Silver, or Gold, or Lyon Dollars; and the Treaſurer and Loan-Officers ſhall accept thereof, in Lieu of the Bills made current by this Act, and exchange them for the Bills hereby made current, with any Perſon who ſhall deſire the ſame: And in Caſe any of the Principals ſhall by this Means remain uncancelled in the Counties, on the firſt Tueſday of *June*, One Thouſand Seven Hundred and Fifty; the Loan-Officers ſhall deliver the Gold, Silver and Dollars, and other Bills in their Hands, in Lieu of the Bills made current by this Act, to the Treaſurer, to be by him exchanged for the Bills made current by this Act, and to be cancelled afterwards, in ſuch Manner as ſhall by Act of Aſſembly be preſcribed.

Borrowers may pay in other Bills, or in Silver, Gold, or Lyon Dollars.

Loan-Officers to exchange them till firſt Tueſday of *June*, 1750.

And then the Treaſurer is to do it.

XL

XLI. **And be it Enacted** *by the Authority aforesaid*, That the Treasurer of this Colony, after he has received the Sum of Eight Thousand Three Hundred and Fifty Pounds, in Bills of Credit, herein before directed to be delivered to him by the first Signers, as aforesaid, shall duly sign all the same Bills, and shall thereto add the Sum of Five Hundred and Twenty-nine Pounds Thirteen Shillings and Seven Pence Farthing, now in his Hands, arisen by the late Support-Act, over and above the Sum of Two Thousand Pounds, in Bills of Credit, ready to be sunk; and shall thereto also add the Sum of Twelve Pounds Six Shillings, which he is to take out of the first Monies of the *Oswego* Fund, that comes to his Hands; out of which three Sums, together amounting to the Sum of Eight Thousand Eight Hundred and Ninety-one Pounds, Nineteen Shillings and Seven Pence Farthing, the Treasurer aforesaid shall pay the Sums following, *to wit*.

The said £.8350, the Treasurer is to add,
£.529 13*s*. 7*d*. & *one Farthing*, Ballance in his Hands and £.12 10*s*. out of the *Oswego* Fund.
In all £.8891 19*s* 7*d*. 1*q*. out of which he is to pay several Allowances.

[*That Part of this Section, containing the several Payments, was thought needless to print.*]

AND the Remainder of the said Sum of *Eight Thousand Eight Hundred and Ninety-one Pounds, Nineteen Shillings and Seven Pence Farthing*, shall remain in the Hands of the Treasurer, for and towards the Support of his Majesty's Government of this Colony, from the first Day of *September* last, to the Thirty-first Day of *December*, in this present Year; to be paid to such Persons, and in such Manner, as by a future Act of Assembly shall be directed, and not otherwise; and the Superplus (if any be) shall in like Manner be applied for and towards the future Support of this Government, by Act, as aforesaid, and not otherwise.

Remainder for Support of Government.

XLII. **And be it Enacted** *by the Authority aforesaid*, That the Sum of Two Hundred and Ninety Pounds, Five Shillings and One Penny, due from sundry Counties of this Colony, in Part of the Three Thousand Six Hundred Pounds Tax, laid by an Act passed in the Year One Thousand Seven Hundred and Twenty-six, when recovered and paid to the Treasurer of this Colony, according to the Directions of an Act of the Assembly, hereafter to be passed for that Purpose; shall be applied to the sinking and cancelling so much of the said Sum of Eight Thousand Three Hundred and Fifty Pounds, in Bills herein before mentioned to be delivered to the Treasurer.

Funds by which the said £.8350 is to be sunk.
Deficiencies of Counties, £. 290, 5*s*. 1*d*.

XLIII. **And be it Enacted** *by the Authority aforesaid*, That the Remainder of the said Sum of Eight Thousand Three Hundred and Fifty Pounds, delivered to the Treasurer, as aforesaid, shall be sunk and cancelled, with so much of the Interest Monies that shall be paid to the Treasurer by the Loan-Officers, as herein before is directed, at such Time, and in such Manner, as by Act or Acts of the General Assembly shall be appointed; and the Rest of the said Interest Monies, shall be, from Time to Time, applied for and towards the Support of the Government of this Colony, in such Manner, as by Act or Acts of the General Assembly shall be provided, and not otherwise.

Rest to be sunk out of the Interest Money yearly paid to the Treasurer.
Remainder of the Interest Money is to be for Support of Government.

XLIV. **And be it Enacted** *by the Authority aforesaid*, That if any Person shall falsly swear or affirm, in any of the Cases, where an Oath or Affirmation is required to be taken by this Act, or shall willfully and knowingly act contrary to the Oath or Affirmation he has before taken; such Offence is hereby declared to be Perjury, and the Offender being convict thereof, shall suffer all the Pains and Penalties of Perjury, which by the Laws of *Great Britain* can be inflicted.

Swearing falsly, declared Perjury.

XLV. **And be it further Enacted**, That all Judges and Justices in this Colony, shall, and they are hereby directed, to construe this Act most favourably for the Prosecutor, and most strongly against the Offender, and shall allow him or her no Essoyn, Protection, or Wager of Law, nor any more than one Imparlance,

Construction to be made of this Act.

11th *GEORGE* II. A. *D.* 1737.

parlance, and ſhall endeavour the Execution of this Act, according to the true Intent and Meaning thereof, notwithſtanding the Want of apt Words to expreſs the ſame: And if Miſchiefs ſhould happen, which may affect the Publick, or any private Perſon, or the Credit of the Bills made current by this Act, againſt which no Remedies are expreſsly provided by this Act; but if there happen to be Remedies againſt like Miſchiefs; they, the ſaid Judges and Juſtices, ſhall conſtrue and extend the like Remedies to and for the like Miſchiefs, according to the true Intent and Meaning of this Act; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

A Copy of each Impreſſion of the Bills to be kept for the Treaſurer.

XLVI. **And be it Enacted**, That the firſt Signers of the Bills ſhall preſerve one Copy of each Impreſſion of the Bills hereby made current, upon which they ſhall remark how the Bills are numbred, and ſhall deliver thoſe Copies to the Treaſurer, to be carefully preſerved for the better Diſcovery of Counterfeits, if any ſhould happen to be made of the ſaid Bills; any Thing herein contained to the contrary notwithſtanding.

CHAP. DCLXVII.

An ACT *to facilitate and explain the Duty of the Loan-Officers in this Colony.*

Paſs'd the 16th of December, 1737.

I. **Be it Enacted** *by the Lieutenant-Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That for the greater Uniformity in the Securities to be taken in the Loan-Offices, for the Money to be lent, by Virtue of an Act of the General Aſſembly of this Colony, entitled, *An* Act *for emitting Bills of Credit for the Payment of the Debts, and for the better Support of the Government of this Colony, and other Purpoſes therein mentioned*; the Mortgages for the Money by Virtue of the ſaid Act lent, ſhall be in the Form following, *viz.*

See Chap. 666.

Form of the Mortgages.

* THIS INDENTURE, *made the Day of in the Year of the Reign of our Sovereign Lord* GEORGE *the Second, by the Grace of* GOD, *of* Great-Britain, France *and* Ireland, *King, Defender of the Faith,* &c. Annoq; Domini, *One Thouſand Seven Hundred and Between of the County of of the one Part, and the Loan-Officers of the ſaid of of the other Part*; WITNESSETH, *That the ſaid for and in Conſideration of the Sum of by the Loan-Officers of the of to him well and truly in Hand paid, whereof he grants the Receipt, and acknowledges himſelf to be therewith contented; and for himſelf, his Heirs, Executors and Adminiſtrators, releaſes and diſcharges the Loan-Officers of the of and their Succeſſors thereof, for ever;* HATH *granted, bargained, ſold, releaſed, enfeoffed and confirmed, and by theſe Preſents doth grant, bargain, ſell, releaſe, enfeoff and confirm, to the Loan-Officers of the of and their Succeſſors and Aſſigns, for ever*

ALL THAT

Together

* *Leave is given to the Loan-Officers, to vary from this Form, as to the Times of Payment, by* Chap. 768. Sect. 1. *and by* Chap. 897, Sect. 3.

11th GEORGE II. A. D. 1737.

Together with all and all Manner of Woods, Underwoods, Trees, Mines, Minerals, Quarries, Hawkings, Huntings, Fowlings, Fiſhings, Buildings, Fences, Improvements, Hereditaments, and Appurtenances whatſoever, to the ſame belonging, or in any Ways appertaining; and all the Eſtate, Right, Title, Intereſt, Poſſeſſion, Property, Claim, and Demand, of the ſaid and *his Heirs, to the above bargained Premiſſes, and every Part thereof:* TO HAVE AND TO HOLD *the above bargained Premiſſes, to the Loan-Officers of the* *their Succeſſors and Aſſigns, for ever, to the Uſes and Purpoſes mentioned in an Act of the General Aſſembly of this Colony, paſſed in the eleventh Year of the Reign of King* GEORGE *the Second, entitled,* An *Act* for emitting Bills of Credit for the Payment of the Debts, and for the better Support of the Government of this Colony, and other Purpoſes therein mentioned. *And the ſaid* *for himſelf, his Heirs, Executors and Adminiſtrators, does covenant, grant, bargain and agree, to and with the Loan-Officers of the* *of* *and their Succeſſors, That at and before the Time of the Enſealing and Delivery hereof, he the ſaid* *ſtood lawfully ſeized of the above bargained Premiſſes, of a good, ſure, perfect, abſolute and indefeazable Eſtate of Inheritance, in the Law in Fee* Simple; *and that the ſame then were free and clear of all former and other Gifts, Grants, Bargains, Sales, Leaſes, Releaſes, Judgments, Extents, Recognizances, Dowers, Entails, and other Incumbrances in the Law whatſoever.* Provided always, *and theſe Preſents are upon this Condition, That if the ſaid* *his Heirs, Executors, Adminiſtrators or Aſſigns, do pay, or cauſe to be paid, to the Loan-Officers of the* *of* *the Intereſt, at the Rate of* Five per Cent. *of the ſaid principal Sum of* *on the third Tueſday of* April *yearly, for* *Years after the Date hereof; and if the ſaid* *or his foreſaids, ſhall pay to the Loan-Officers of the* *of* *the one fourth Part of the ſaid principal Sum of* *on the third Tueſday of* April, *which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-ſeven; and one other fourth Part of the ſaid principal Sum, with three fourth Parts of a Year's Intereſt of the ſame, upon the third Tueſday of* April, *One Thouſand Seven Hundred and Forty-eight; and one other fourth Part of the ſaid principal Sum, with one half of a Year's Intereſt of the ſame, on the third Tueſday of* April, *One Thouſand Seven Hundred and Forty-nine; and the remaining fourth Part of the ſaid principal Sum, with one fourth Part of a Year's Intereſt of the ſame, on the third Tueſday of* April, *One Thouſand Seven Hundred and Fifty, according to the true Intent and Meaning of the ſaid Act of General Aſſembly: Then the above Grant, Bargain and Sale, and every Article and Clauſe thereof, ſhall be void: But if Failure be made in any of the Payments above mentioned, then the above Bargain and Sale is to remain in full Force and Virtue. And the ſaid* *for himſelf, his Heirs and Aſſigns, doth agree, to be abſolutely barred of all Equity of Redemption of the Premiſſes, within Twenty-two Days after ſuch Failure: And the ſaid* *for himſelf, his Heirs, Executors and Adminiſtrators, does covenant, grant, bargain, promiſe and agree, to and with the Loan-Officers of the* *of* *and their Succeſſors, well and truly to pay to them, all and every of the Sums of Money above mentioned, at the Times on which the ſame ought to be paid, as aforeſaid, and that the above bargained Premiſſes, upon the Sale thereof, purſuant to the Directions of the ſaid Act, will yield the Principal and Intereſt aforeſaid, remaining unpaid at the Time of ſuch Sale, and until the third Tueſday of* April, *next after the Day of Sale, together with* Fifteen Shillings, *for the Charge of ſuch Sale.* IN WITNESS *whereof, the Parties to theſe preſent Indentures, have interchangeably ſet their Hands and Seals, the Day and Year firſt above written.*

Sealed and Delivered in the Preſence of

II. And

11th *GEORGE* II. A. D. 1737.

2500 Copies of the Mortgages to be printed for the Loan-Offices.

To each a bound Book of them.

II. **And be it Enacted** *by the Authority aforeſaid*, That *William Bradford* ſhall print *Twenty five Hundred* Copies of the ſaid Mortgages, and bind ſo many of them into a Book, together with ſix Leaves of clean Paper, for an Alphabet, for the Uſe of the Loan-Office of each County, that there may be a Mortgage for every *Twenty five Pounds* of Bills of Credit, given to the Loan-Office of that County, and the Number remaining, he ſhall give in looſe Sheets, in the like Proportion, to each of the Loan-Offices, in order therewith (if there ſhould be Occaſion) to give atteſted Copies of the Original Mortgages, to the Buyers of any of the mortgaged Lands: Which Books, together with the ſaid looſe Sheets, are to be delivered by the Printer, to the firſt Signers of the Bills, by them, with the Bills, to be delivered to the Loan-Officers of each County.

No Mortgages to be taken but in that Book.

Mortgages to be numbred and alphabeted.

III. **And be it Enacted**, That no Mortgages ſhall be taken in the Loan-Offices but by filling up one of the Blanks of the ſaid Book of Mortgages; none of them ſhall be defaced, nor torn out, except the Seal, when the Mortgagor pays off the whole Principal and Intereſt of the Mortgage; and the Loan Officers ſhall proceed in the taking of the Mortgages, from the Beginning of the Book forward, numbering the Mortgages as they are taken, and inſerting the Mortgagor's Name and Number, in the Alphabet, under the Letter anſwering the Mortgagor's Sirname.

To each Loan-Office, a Book for Minutes,

IV. **Be it Enacted**, That the Printer ſhall alſo bind up Ten Books of clean Paper, one for the Uſe of each Loan Office, and to contain about *two third Parts* of the Bigneſs of the Book of Mortgages for the ſame County, to be delivered, as aforeſaid, with the Book of Mortgages.

In which ſhall be minuted the Subſtance of the Mortgages,

V. **Be it Enacted**, That the Loan-Officers ſhall, in one End of the laſt Book, minute the Subſtance of every Mortgage, *to wit*, *The Number thereof*, *The Date*, *The Mortgagor's Name*, *The Sum lent*, and *The Boundaries of the Lands mortgaged*; and when the one Loan-Officer has the Cuſtody of the Book of Mortgages, the other ſhall have the Cuſtody of this Book, that Fire, or other Accidents, which may happen, may be guarded againſt; and the Printer ſhall make an Alphabet to it, like to that of the Book of Mortgages; and to prevent any Deception of the Mortgagor, he ſhall examine or ſee the Minute examined, with the original Mortgage, and he, with the Witneſſes ſhall ſign to the ſame.

And of their Proceedings.

VI. **And be it Enacted**, That the Loan-Officers, beginning at the other End of the ſaid Book, ſhall inſert the Minutes of their Proceedings therein, *to wit*.

1. The Days they meet, Place, Houſe, and Loan-Officers preſent.

2. If any is abſent, ſhall, the next Time minute the Cauſe of his Abſence.

3. Shall enter the Hour, that every one demands the Loan of Money, and the Quantity he demands.

4. Shall enter down the Reaſon, Why a prior Demander had not the Money according to his Demand, and the Subſtance of Examinations, for clearing Titles and Value.

5. Shall enter down the Monies received, from the firſt Signers of the Bills, and the Monies delivered to, or received from, the Loan-Officers of another County, and the Day when, with Copy of the Notice thereof, to be delivered to the Treaſurer, and when that Notice was delivered to the Treaſurer, and by whom.

6. The laſt Day, of their *four Days* of Meeting, for receiving of Monies yearly, they ſhall enter whoſe Mortgages are foreclоſed, and the Numbers and Sums of them.

7. Shall enter the Orders for, and Copies of, the Advertiſements of Sale, and Places at which they were to be ſet up, and Perſons Names that are to ſet them up.

Shall

8. Shall enter the Buyer's Name of Lands, and Price sold for, and Payment of the Overplus to whom it belongs, with the Time and Witnesses of such Payment.

9. In Case any Principals, or Part thereof, are paid in, before the Times of Payment in the Mortgages, the Totals of such Principals so paid in, shall be entered in this Book, with Copy of the Advertisement of lending out again, and on the Day of Demand advertised, the Names of the Demanders thereof, and they shall proceed in that Case as before.

10. Shall enter the Cause of all Suits, and the Informations they have received, and of whom, and how, at length; or, if too long, refer to them in Papers apart, minuting the Substance.

11. Shall enter their Meetings, with the Justices and Supervisors, and Persons present, together with the Minutes of all acted with them, particularly, what were the Deficiencies laid before them, what was resolved on for the Assessing and Levying them, who for Assessing them, who for Neglecting or Delaying it, what Bills where cancelled, and the Numbers and Sums of the Bundles thereof.

12. Every other Thing remarkable, that has any Relation to their Office, and not otherwise directed about, shall be entered in the Minute Book of their Proceedings, except their Accounts.

VII. **And be it Enacted**, That the Printer shall also bind up other *Ten Books* of clean Paper, one of them for the Use of each Loan-Office, about *two thirds* of the Bigness of the Book of Mortgages, for the same County, to be delivered, as aforesaid, with the Book of Mortgages.

The Printer to bind another Book for each Loan Office,

VIII. **Be it Enacted**, That therein shall be entered, all the Accounts of the Loan-Office; That at the Beginning there shall be an Alphabet, wherein shall be inserted every Man's Name, and the Leaf wherein his Account stands; and that this Book be kept in the fairest and best Method that the Loan-Officers can; and it is to remain in the Custody of him, who has the Minutes of the Mortgages and Proceedings.

In which shall be inserted their Accounts.

IX. **And be it Enacted**, That the Deeds to be granted by the Loan-Officers, for any Lands to be sold by them, whereof the Equity of Redemption is forecloſed, shall be in Form following, *to wit*.

Form of the Deeds granted by the Loan-Officers.

THIS INDENTURE, *made the last* Tuesday *of* May, *in the Year of the Reign of our Sovereign Lord* GEORGE *the Second, by the Grace of God, of* Great-Britain, France *and* Ireland, *King, Defender of the Faith,* &c. Annoq; Domini, *One Thousand Seven Hundred and* *Between the Loan-Officers of* *of* *of the one Part, and* *of the other Part,* Witnesseth, *That the Loan-Officers of* *of* *for and in Consideration of the Sum of* *to them in Hand paid, whereof they grant the Receipt, and Discharge the said* *his Heirs, Executors and Administrators thereof, forever;* Have, *pursuant to an Act of the General Assembly of this Colony, entitled,* An Act to emitting Bills of Credit, for the Payment of the Debts, and for the better Support of the Government of this Colony, and other Purposes therein mentioned, *granted, bargained, sold, released, enfeoffed and confirmed, and by these Presents, do grant, bargain, sell, release, enfeoff and confirm, unto the said* *his Heirs and Assigns, all that*

Together with all, and all Manner of Woods, Underwoods, Trees, Mines, Minerals, Quarries, Hawkings, Huntings, Fowlings, Fishings, Fences, Improvements, Hereditaments,

11th *GEORGE* II. A. D. 1737.

Hereditaments, and Appurtenances whatſoever, to the ſame belonging, or in any wiſe appertaining, and all the Eſtate, Right, Title, Intereſt, Claim, Poſſeſſion, Property and Demand whatſoever, of the Loan-Officers of of *and their Succeſſors, to the above bargained Premiſſes, and every Part thereof.* TO HAVE AND TO HOLD, *the above bargained Premiſſes, and every Part thereof, with the Appurtenances, to the ſaid* his *Heirs and Aſſigns, to the ſole and only proper Uſe, Benefit and Behoof, of the ſaid* his *Heirs and Aſſigns forever.* IN WITNESS *whereof, the Loan-Officers of the* of *have hereunto ſet the Seal of their Corporation, together with their Hands, the Day and Year above written.*

Sealed and Delivered in the Preſence of

How they are to execute the Deeds to the Buyers.

To which Deed, the Loan-Officers are to put only one Seal, as the Seal of the Loan-Office, and jointly take off the Seal from the Wax, and all ſign their Names.

With the Deeds to give atteſted Copies of the Mortgages.

X. **And be it Enacted**, That upon every Sale of Lands, the Loan-Officers ſhall fill up one of the looſe Sheets of blank Mortgages, like to the original Mortgage, and atteſt the ſame as a true Copy, under their Hands, and the Seal of the Loan-Office, and give it inſtead of the original Mortgage, for Evidence of the Title of the Buyer: And the Bond to be entred into by the Loan-Officers, ſhall be in Form following, *viz.*

Form of Bond, with Security to be given by the Loan-Officers.

KNOW all Men by theſe Preſents, That We

are held and firmly bound, unto our moſt Gracious Sovereign Lord GEORGE *the Second, by the Grace of God, of* Great Britain, France *and* Ireland, *King, Defender of the Faith,* &c. *in the Sum of* *to be paid unto our moſt Gracious Sovereign Lord the King, and His Succeſſors; to the which Payment well and truly to be made and done, we bind our ſelves, our Heirs, Executors and Adminiſtrators, and every of us and them, jointly and ſeverally, firmly by theſe Preſents; Sealed with our Seals, and dated the Day in the Year of His Majeſty's Reign,* Annoq; Domini, *One Thouſand ſeven Hundred and*

THE CONDITION of the above Obligation is ſuch, That if the above bounden ſhall well and truly perform the Office and Duty of one of the Loan-Officers of the of *and ſhall demean himſelf therein, without Favour, Malice or Partiality: Then the above Obligation to be void, otherwiſe to remain in full Force and Virtue.*

Sealed and delivered in the Preſence of

Suit on ſuch Bond to be ſtaid, on Payment of Damages. Damages to be enquired of by a Jury.

XI. **And be it Enacted and Declared**, That in Caſe of the Forfeiture of ſuch Bond, as aforeſaid, the Suit thereon ſhall be ſtaid, on the Defendant's paying, or tendring in Court to pay, the Damages ariſen by the Breach of the Condition of the Bond ſued, with the Coſts to that Time; and if Judgment be had thereon, a Jury ſhall enquire of the Damages, according to the Form of the Statute in that Caſe made and provided.

Power given to Loan-Officers to examine upon Oath, as to the Title and Value of Lands to be mortgaged. Minute of ſuch Examinations to be entred.

XII. **And be it Enacted**, That for the better Satisfaction of the Loan-Officers, as to the Title and Value of what is offered in Mortgage, by Borrowers; the Loan-Officers, or either of them, are hereby authoriſed and impowered, to examine the Borrower and Witneſſes, upon Oath, or Affirmation if Quakers, concerning the ſame; a brief Minute of which Examinations, and of the Names of the Perſons ſo examined, they ſhall enter into their Minute Book of Proceedings.

CHAP.

CHAP. DCLXVIII.

11th *GEORGE* II. A. D. 1737.

Expir'd the 1st *December*, 1738. Provided for by Chap. 677.

An ACT *for granting unto his Majesty several Duties, towards supporting his Government in this Colony for one Year, at the Time, and in the Manner therein mentioned.*

Pass'd the 16th of December, 1737.

CHAP. DCLXIX.

Obsolete.

An ACT *to enable the Corporation of the City of* New-York, *to raise the Sum of* Two Hundred and Fifty Pounds, *for the Uses therein mentioned.*

Pass'd the 16th of December, 1737.

CHAP. DCLXX.

An ACT *for the better Extinguishing of Fires that may happen within the City of* New-York.

Pass'd the 16th of December, 1737.

Preamble.

WHEREAS the Inhabitants of the City of *New-York*, of all Degrees, have very justly acquired the Reputation, of being singularly and remarkably famous, for their Diligence and Serviceableness in Cases of Fires: And whereas the same Inhabitants have, at a very great Charge and Expence, supplied themselves, and are provided with, two Fire Engines, and various Sorts of Poles, Hooks, Iron Chains, Ropes, Ladders, and several other Tools and Instruments for the Extinguishing of Fires: And whereas, notwithstanding which many Houses have frequently been burnt, consumed, or very much damaged, by Fires unfortunately happening in the same City, before such Fires could (notwithstanding all Diligence used) be extinguished, often to the great Damage of Owners, and might happen to be to the Impoverishing and utter Ruin of many of the good People of the same City; the Rage and Violence of which for the future, may be in great Part prevented, if a sufficient Number of skillful Persons, be appointed to have the Care, Management and Working of the said Fire Engines, and other Tools and Instruments for extinguishing of Fires, in Cases of such Casualty and Distress, that may hereafter happen.

The Corporation to elect and appoint Forty-two Firemen.

I. **Be it therefore Enacted** *by his Honour the Lieutenant-Governor, the Council, and General Assembly, and it is hereby Enacted by the Authority, of the same*, That from, and with all convenient Speed after the Publication hereof, it shall and may be lawful, to and for the Mayor, Aldermen and Commonalty of the City of *New-York*, or the major Part of them, in Common Council convened, and they are hereby required, to elect, nominate and appoint, a sufficient Number of strong, able, discreet, honest, and sober Men, willing to accept (not exceeding forty-two in Number) whereof an equal Number shall be elected or appointed out of the Six several Wards of the said City, on the South Side of *Fresh-Water*, of the Inhabitants, being Freemen or Freeholders of the said City; to have the Care, Management, working and using the said Fire-Engines, and the other Tools and Instruments for extinguishing of Fires that may happen within the said City; which Persons so to be elected, nominated and appointed as aforesaid, shall be called *The Firemen of the City of* NEW-YORK; and who, with the Engineers of the same City, are hereby required and enjoined, always to be ready at a Call, both by Night as well as by Day, to manage, work and use the same Fire-Engines, and others that may hereafter belong to the same City, and the other Tools and Instruments for extinguishing of Fires, that may happen or break out in the City aforesaid.

II. AND

11th *GEORGE* II. A. D. 1737.

The Mayor, Aldermen, &c. in Common Council aſſembled, may diſplace the Firemen and appoint others in their Room.

II. And in order to compel and oblige the Firemen, ſo to be elected, nominated or appointed, as aforeſaid, to be diligent, induſtrious and vigilant, in the Execution and Diſcharge of their Office and Duty; **Be it further Enacted** *by the Authority aforeſaid*, That the Mayor, Aldermen and Commonalty of the ſaid City, for the Time being, in Common Council aſſembled, or the major Part of them, are hereby authoriſed and impowered, to remove and diſplace all or any of the Firemen ſo as aforeſaid, to be elected, nominated or appointed when and as often as they ſhall think fit, and others in the Room or Places of ſuch as they ſhall remove or diſplace, to elect, nominate or appoint, and put in; and ſo from Time to Time, as they the Mayor, Aldermen and Commonalty aforeſaid, for the Time being, in Manner aforeſaid, ſhall ſee convenient.

Firemen exempted from being choſen Conſtables, Surveyors of Roads, Jurors, or ſerving in the Militia or independent Companies, except in Time of imminent Danger.

III. **And be it further Enacted** *by the Authority aforeſaid*, That the Perſons ſo to be elected, nominated or appointed, Firemen as aforeſaid, and each and every of them, from Time to Time, during the Continuance of being in the Office of Firemen, and no longer, ſhall, and are hereby declared to be freed exempted and privileged, from the ſeveral Offices of Conſtable, and Surveyor of the High-ways, and of and from the being put into or ſerving upon any Jurie or Inqueſt, and of and from being compellable to ſerve in the Militia, or any of the independent Companies of, or in the ſaid City, or any or either of them except in Caſes of Invaſion, or other imminent Danger; and the Names of ſuch Perſons to be elected, nominated or appointed Firemen by Virtue hereof from Time to Time, ſhall be regiſtred and entred with the Clerk of the Peace for the ſaid City: And if at any Time after the Publication of this Act, and the electing, nominating or appointing Firemen, by Virtue hereof, any ſuch Perſon or Perſons elected or appointed Firemen as aforeſaid, ſhall be choſen elected or appointed, into any of the ſaid Offices, or returned, required or appointed to ſerve in any Jury or Inqueſt, or the Militia, or any of the independent Companies as aforeſaid, (except as before excepted) or be diſquieted or diſturbed by Reaſon thereof; that then ſuch Perſon or Perſons, producing a Teſtimonial or Certificate, under the Hand of the Mayor, Recorder, or any one Alderman of the ſaid City for the Time being, of ſuch his Election, Nomination or Appointment, to the Perſon or Perſons by whom he ſhall be ſo elected or appointed, or by or before whom he ſhall be ſummoned, returned or required to ſerve, execute, or hold any of the ſaid Offices or Duties; ſhall be abſolutely diſcharged from the ſame; and ſuch Election, Nomination, Return and Appointment, ſhall be utterly void and of none Effect; unleſs ſuch Perſon or Perſons ſhall voluntarily conſent and agree to hold ſuch Office, or ſerve upon ſuch Jury or Inqueſt, or in ſuch Militia, or independent Company; any Order, Cuſtom Law, or Practice to the contrary hereof in any wiſe notwithſtanding. *Provided always*, That Nothing herein contained, ſhall be conſtrued to exempt or excuſe any ſuch Perſon or Perſons to be elected, nominated or appointed Firemen, as aforeſaid, that is or ſhall, before the Commencement of this Act and ſuch Election, Nomination, or Appointment, be elected to ſerve in the ſaid Offices of Conſtable and Surveyors of the Highway, from ſerving therein for the uſual Time for which he was ſo elected.

Provided, that no Perſons being Conſtables, &c. before the making of this Act, ſhall be exempted from ſerving, by being appointed Firemen.

The Corporation impowered to preſcribe Rules to the Firemen.

IV. **And be it further Enacted** *by the Anthority aforeſaid*, That it ſhall and may be lawful to and for the Mayor, Aldermen and Commonalty of the ſaid City for the Time being, or the major Part of them, and met as aforeſaid to make, eſtabliſh and ordain, ſuch Rules, Orders, Ordinances and Regulations in Reſpect of the Government, Conduct, Duty and Behaviour of the Perſons from Time to Time to be by them elected, nominated or appointed Firemen by Virtue of this Act, in the working, managing and frequent excerciſing trying and uſing of the ſame Fire Engines, Tools and other Inſtruments, and to impoſe and eſtabliſh ſuch reaſonable Fines, Penalties, and Forfeitures upon them

them, or any of them, for Default or Neglect of the Duties, Buſineſſes and Services thereby to be enjoyned or required from them, as to the Mayor, Aldermen and Commonalty of the ſame City for the Time being, or the major Part of them, met as aforeſaid, ſhall from Time to Time, think meet and convenient.

V. **And be it further Enacted** *by the Authority aforeſaid*, That upon the breaking out of any Fire within the City of *New-York* aforeſaid, all Sheriffs, Under, or Deputy-Sheriffs, High-Conſtables, Petty-Conſtables, and Marſhalls (upon Notice thereof) ſhall immediately repair to the Place where the ſaid Fire ſhall happen, with their Rods, Staves and other Badges of their Authority, and be aiding and aſſiſting, as well in the extinguiſhing the ſaid Fires, and cauſing People to work, as alſo in preventing Goods being ſtolen; and ſhall ſeize and apprehend all ill-diſpoſed Perſons that they find ſtealing or pilfering from the Inhabitants; as alſo, that the ſaid Officers aforeſaid, ſhall give their utmoſt Aſſiſtance to help the Inhabitants to remove and ſecure their ſaid Goods.

Sheriffs, Conſtables, Marſhalls, &c. to aſſiſt at Fires.

And apprehend Pilferers.

CHAP. DCLXXI.

An ACT *further to encourage the deſtroying of Wolves, in the County of* Weſtcheſter, *and to repeal Part of the Act therein mentioned.*

Paſs'd the 16th of December, 1737.

This Act is loſt; *but by* Zenger's *Edition it appears, that that Part of the Act* repealed, *is what relates to* Weſtcheſter, *in* Chap. 583. *See the Notes to that Chapter.*

CHAP. DCLXXII.

An ACT *for the Preſervation of Oyſters, at and near* Richmond *County, in this Colony.*

Paſs'd the 16th of December, 1737.

WHEREAS it is found by daily Experience, that the Oyſter-Beds lying at and near *Richmond* County, within this Colony, are waſted and deſtroyed by Strangers; the preventing of which will tend to the great Benefit of the poor People, and others, inhabiting the aforeſaid Colony.

Preamble.

I. **Be it therefore Enacted** *by his Honour the Lieutenant-Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That no Perſon or Perſons whatſoever, not reſiding within this Colony, from and after the Publication of this Act, do preſume, directly or indirectly, to rake or gather up any Oyſters within this Colony, and put them on board any Canoe, Periauger, Flat, Scow, Boat, or other Veſſel whatſoever, not wholly belonging to, and owned by, Perſons who live within the aforeſaid Colony, under the Penalty of ſeizing and forfeiting of all ſuch Canoes, Perriaugers, Flats, Scows, Boats or other Veſſels, that ſhall be found doing the ſame, together with all the Oyſters, Shells, Oyſter-Rakes, Tongs, and all other Furniture and Apparel thereto belonging.

Perſons not reſiding within this Colony, not to rake or gather any Oyſters.

The Penalty.

II. **And be it further Enacted** *by the Authority aforeſaid*, That the Perſons hereafter named and appointed, ſhall, and are hereby authoriſed, required, and commanded, ſtrictly to put this Act in Execution; and as they or either of them ſhall think fit, at all Times and Places, to enter and go on board of all and every ſuch Canoe, Perriauger, Flat, Scow, Boat, or other Veſſel whatſoever, which ſhall be by him or them ſuſpected to be tranſgreſſing as aforeſaid, contrary to the true Intent and Meaning of this Act; and all ſuch Perſon or Perſons, ſo found tranſgreſſing, as aforeſaid, by having Oyſters on board,

The Perſons hereafter named, commanded to put this Act in Execution; enter on board the Veſſels of the Perſons tranſgreſſing, and ſeize their Oyſters, Rakes, &c.

11th GEORGE II. A. D. 1737.

to ſeize and ſecure, in ſuch Way and Manner as he or they ſhall think fit, for his Majeſty's Service, together with all and every the Oyſter-Shells, Oyſter-Rakes, Tongs, and all other Furniture and Apparel thereunto belonging.

Perſons Names to ſee this Act put in Execution.

III. Perſons Names to ſee this Act put in Execution, &c. For *Richmond* County; *Thomas Billop*, *John Butler*, *Iſrael Diſſeſway*, *Winant Winants*, *Hendrick Sluyht*, *John Laturatte*, *John Grondine*, *James Egbert*, *Lewis Duboys*, Eſq; and *Abraham Munnet*.

Impowered to command Aſſiſtance for that Purpoſe.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That the Perſons above appointed, or hereafter to be appointed, by the Governor or Commander in Chief for the Time being, for the Execution of this Act, ſhall and may, at all Times and Places as he or they ſhall think fit, require and command in his Majeſty's Name, ſuch and ſo many Perſons, as he or they ſhall think neceſſary, to aid and aſſiſt him or them, in the due Execution of this Act.

How Proceſs to be made.

V. **And be it further Enacted** *by the Authority aforeſaid*, That any of the aboveſaid Perſons, who ſhall ſeize and ſecure any of the Veſſels aforementioned, in Manner and Form aforeſaid, the ſaid Perſon or Perſons, ſhall immediately inform two of His Majeſty's Juſtices of the Peace (the one whereof to be of the Quorum) where ſuch Seizure ſhall be made; who are hereby required forthwith, on ſuch Notice, to meet together; and upon Oath made by any of the aforeſaid Perſons above appointed, or any other credible Witneſs, ſhall give Judgment againſt and condemn the ſame; one third Part thereof to his Majeſty, for and towards the Support of His Government in this Colony, and the other two Thirds thereof to the Perſon or Perſons who ſeized the ſame.

Appropriation of the Seizures.

VI. **And be it further Enacted** *by the Authority aforeſaid*, That every Canoe, Periauger, Flat, Scow, Boat or other Veſſel, ſo ſeized, tried and condemned, as aforeſaid, with all Things thereunto belonging, ſhall, by the ſaid Perſon or Perſons who ſeize the ſame, be ſold at publick Vendue; and one third Part of the Produce thereof paid to the Treaſury of this Colony, for Time being, for and towards the Support of His Majeſty's Government, and the other two third Parts to the Uſe of the Perſon or Perſons who ſeized the ſame, as aforeſaid.

Perſons refuſing Entrance on board any Veſſel, to forfeit £. 50.

VII. **And be it further Enacted** *by the Authority aforeſaid*, That if any Maſter, Seaman, or other Perſon, on board any Canoe, Periauger, Flat, Scow, Boat or other Veſſel whatſoever, ſhall refuſe, and not ſuffer any of the above named Perſons, or their Aſſiſtance, to enter, or ſhall reſiſt before or after entring; the Perſon or Perſons ſo offending, contrary to this Act, ſhall forfeit the Sum of *Fifty Pounds*; to be recovered by the Perſon or Perſons ſo reſiſted, by Action of Debt, in any Court of Record within this Colony, with Coſts of Suit; one third Part thereof to His Majeſty, for ſupporting His Government, in this Colony, and the other two Thirds thereof to the ſaid Perſon or Perſons who ſhall proſecute the ſame, to Effect; any Law, Uſage or Cuſtom to the contrary hereof, in any wiſe notwithſtanding.

The

13th *GEORGE* II. A. D. 1739.

The Sixteenth ASSEMBLY.

FIRST SESSIONS.

CHAP. DCLXXIII.

An ACT *to revive an Act, entitled,* An *Act* to prevent Swine *from running at large, in the City and County of* New-York, *the County of* Weſtcheſter, Queens *County,* Kings *County, and* Richmond *County.*

See Ch. 547.

Paſs'd the 14th of September, 1739.

I. BE it Enacted *by his Honour the Lieutenant Governor, the Council and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That an Act, entitled, *An Act to prevent Swine from running at large in the City and County of* New-York, *the County of* Weſtcheſter, Queen's County, Kings County, *and* Richmond County, paſſed in the fourth Year of His preſent Majeſty's Reign, expired by its own Limitation, ſhall be, and hereby is revived, and every Clauſe, Article and Thing therein contained, to be and remain of Force from the Publication hereof.

CHAP. DCLXXIV.

An ACT *to regulate the Militia of this Colony.*

Continued by Chap. 694.

Paſs'd the 3d of October, 1739.

The Sixteenth ASSEMBLY.

SECOND SESSIONS.

CHAP. DCLXXV.

An ACT *for compleating and building the Fortifications, and other the Purpoſes therein mentioned, for the Defence and Security of this Colony.*

Obſolete.

Paſs'd the 25th of October, 1739.

CHAP. DCLXXVI.

An ACT *further to continue the Duty of Exciſe, and the Currency of the Bills of Credit emitted thereon; and to ſtrike ſome new Bills for exchanging ſuch old Ones as are or may be unfit to circulate.*

Paſs'd the 25th of October, 1739.

Preamble.

WHEREAS in and by an Act of General Aſſembly, entitled, *An Act for laying an Exciſe on all ſtrong Liquors retailed in this Colony,* paſſed in the Twelfth Year of Her late Majeſty Queen ANNE, there was granted to and for the Uſes in the ſaid Act particularly mentioned, a Duty of Exciſe on all ſtrong Liquors retailed in this Colony, for the Term of Twenty Years, ending the firſt Day of *November,* which was in the Year one Thouſand ſeven Hundred and Thirty Four; and by a ſubſequent Act, paſſed in the fourth Year of His late Majeſty, the ſaid Duty was continued for the ſame Uſes and Purpoſes, until the firſt Day of *November,* in this preſent Year one Thouſand ſeven Hundred and Thirty Nine. And whereas in Conſequence of the Uſes intended

13th *GEORGE* II. A. D. 1739.

and directed by the above mentioned Act, and upon the Money to arise thereby, there were by one Act, commonly called, the *first long Bill*, entitled, *An* Act *for the paying and discharging the several Debts and Sums of Money, claimed as Debts of this Colony, to the several Persons therein named; and to make and enforce the Currency of Bills of Credit to the Value of Twenty seven Thousand six Hundred and Eighty Pound, for that Purpose; also to make void all Claims and Demands made or pretended to be due from this Colony before the first Day of* June, *One Thousand seven Hundred and Fourteen, and to prevent this Colony from being in Debt for the future*, passed in the Thirteenth Year of Her said Majesty's Reign, struck, issued and made current in this Colony, Bills of Credit to the above mentioned Value of Twenty seven Thousand six Hundred and Eighty Pounds; and by another Act, commonly called, the *second long Bill*, entitled, *An* Act *for paying and discharging several Debts due from this Colony, to the Persons therein named, and for raising and putting into the Hands of the Treasurer of this Colony, several Quantities of Plate, to be applied to the publick and necessary Uses of this Colony, and to make Bills of Credit, to the Value of Forty-one Thousand five Hundred and seventeen Ounces and a Half of Plate, for that Purpose*, passed in the said fourth Year of his said late Majesty's Reign, Bills of Credit to the before mentioned Value of Forty-one Thousand five Hundred and seventeen Ounces and a Half, of the *Spanish* Coins of *Sevil*, *Mexico*, or *Pillar* Plate. And whereas all the aforesaid Bills of Credit, were actually struck, emitted and paid to the several Persons, and for the several Uses, directed in the two Acts last mentioned; and tho' it ought to be presumed, that, at the Time of the passing of the aforesaid Acts, it was conceived or computed, that the Funds appropriated for the gradual Sinking of them, were sufficient to do it, at or before the Time limited for that Purpose; yet it does now appear, that there will be a very considerable Deficiency to answer that End; notwithstanding that in the said second long Bill, there was (for the same Purpose) added to the Excise, an additional Duty on Wine and Rum, for the Term of seventeen Years, which expired the Twenty-third Day of *December*, One Thousand seven Hundred and Thirty-four. And whereas such Deficiency, as aforesaid, if not timely provided for, may, of the one Hand, depreciate the good Reputation which all the Bills of Credit of this Colony have hitherto preserved, and of the Other, prove a vast Prejudice, if not a heavy Loss, to a great Number of the good People of the said Colony, possess'd of such Bills, tho' many of them received no Benefit by the said two long Bills, and probably were unborn, or not in the Colony when those Acts passed. And however the several Articles arose, which were allowed of, and provided for in the said two Acts, all and every of them are become real Debts of the Colony, as well by the regular passing of those Acts here, as by the Royal Approbations of the three above-mentioned Acts, duly signify'd to this Government. And as the Duty of Excise was altogether intended to discharge the publick Debts of this Colony, so it was expressly declared in the Act, which granted the same, that all and singular the Monies arising by Virtue thereof, during the whole Time, should be applied to, and for the paying and discharging the publick Debts of this Colony, such, and in such Manner as should be directed and ascertained in an Act of General Assembly for that Purpose, thereafter to be made; it is therefore conceived just and reasonable, that the before-mentioned Deficiency should be suitably supplied by the Duty of Excise, as that Duty was intended for that very Purpose; and that it is not less just and reasonable, to preserve and continue the Currency of the remaining Bills of Credit, issued upon that Fund. The General Assembly therefore humbly pray, it may be enacted;

I. **And be it Enacted** *by his Honour the Lieutenant Governor, the Council, and the said Assembly, and it is hereby Enacted by the Authority of the same,* That the herein

herein first mentioned Act, entitled, *An* Act *for laying an Excise on all Strong Liquors retailed in this Colony*, shall, from the first Day of *November* next ensuing, to which Time the said Duty of Excise was granted and continued, by the herein before mentioned Act, passed in the Year One Thousand Seven Hundred and Seventeen; be, remain and continue, of full Force and Virtue, and every Clause, Article and Thing therein contained, to all Intents, Constructions, and Purposes whatever, until the first Day of *November*, which will be in the Year of our Lord Christ, One Thousand Seven Hundred and Fifty-seven.

The Excise continued.

II. **Be it further Enacted** *by the Authority aforesaid*, That when so many of the Bills of Credit issued in the Years One Thousand Seven Hundred and Fourteen, and One Thousand Seven Hundred and Seventeen, and of those exchanged, or to be exchanged in Lieu of them, are sunk, or lye ready to be sunk, on the first Day of *November* next ensuing, as the Funds applied for that Purpose, will then amount to all the Remainder of the said Bills of Credit, as likewise all those which by subsequent Acts have been exchanged in Lieu of them, as were shattered, torn and defaced; shall, from the Time they at present stand limited to, be, continue and remain current in all Payments, and in the Treasury, as fully and effectually, to all Intents, Constructions and Purposes whatsoever, as if the Currency of the said Bills of Credit had been originally enacted to continue until the said first Day of *November*, which will be in the aforesaid Year One Thousand Seven Hundred and Fifty-seven.

How long Time the Bills shall pass current.

III. **Be it further Enacted** *by the same Authority*, That the several Sums of Money to arise by Means of the Excise now continued, shall be paid to the Treasurer of this Colony, at the respective Times, and in the Manner, as in and by the afore-mentioned Acts are appointed and directed; and that all the said several Sums of Money, shall be imployed to and for the gradual sinking and cancelling of the Bills of Credit hereby continued to remain current, pursuant to the Acts by Virtue of which they have been issued; with this Difference only, that such cancelling shall be done and performed *Gratis*, and but once in every Year, during the Continuance of this Act, as herein after is directed.

The Excise applied to sink the said Bills of Credit.

[*Section* IV. *relating to the Cancelling of the Bills, is* repealed, *and* provided *for by* Chap. 861.]

V. **And be it further Enacted** *by the Authority aforesaid*, That if at the Expiration of the Time limited in this Act, for the Continuance of the said Excise, the Produce thereof shall amount to more than will make up the Deficiency herein before mentioned; all such Overplus shall remain in the Hands of the Treasurer for the Time being, until the same shall be applied to the Use of this Colony, in such Manner, and to such Purposes, as by Act or Acts of the General Assembly, hereafter to be passed, shall be ordered and directed, and not otherwise.

How the Overplus Money of the Excise shall be applied.

VI. AND whereas most of the aforesaid Bills of Credit, issued in the Years One Thousand seven Hundred and Fourteen, and One Thousand seven Hundred and Seventeen, as well as those, which, by Virtue of other Acts, have already been exchanged in Lieu of them, are, by the Length of Time they have passed current, become so shattered, torn and defaced, that they are hardly fit to pass any longer in Payments; and as, for this Reason, such Bills have chiefly been paid into the Treasury, on Account of Funds appropriated for the Support of this Government, so the several Officers thereof, when the said Support shall be applied for the Payment of their Salaries, are like to receive the same in such Bills as are very unfit to circulate. And to remedy these Difficulties, as well as to prevent the many Inconveniences, which, in Consequence,

13 h *GEORGE* II. A. D. 1739.

quence, would reſult from them; **Be it Enacted** *by the Authority aforeſaid*, That there ſhall forthwith, after the Publication of this Act, be printed, ſigned, and put into the Treaſury, to be exchanged, from Time to Time, for ſuch unpaſſable Bills as aforeſaid, and to and for no other Uſe or Purpoſe whatever, new Bills of Credit to the Value of *Ten Thouſand Pounds*, in the ſeveral Sorts, and of the ſeveral Values here-under mentioned; *That is to ſay*, Two Hundred Bills of *Ten Pounds* each: Four Hundred Bills of *Five Pounds* each: Five Hundred Bills of *Three Pounds* each: Five Hundred Bills of *Two Pounds* each: One Thouſand Bills of *One Pound*, or *Twenty Shillings*, each: Three Thouſand Bills of *Ten Shillings* each; and, Four Thouſand Bills of *Five Shillings* each. Upon every one of which Bills, there ſhall be impreſſed, on the right Side of them, the Arms of the City of *New-York*; and the ſaid Bills ſhall be in the Words and Form following, *to wit*,

New Bills of Credit to be printed.

The Number of the Bills.

Form of the Bills.

By a Law of the Colony of New-York, *this Bill ſhall paſs current for* £ 0 October 20*th*, 1739.

WHICH Bills ſhall be numbered by Col. *John Moore*, or Alderman *William Roome*, or Mr. *David Clarkſon*, or Alderman *Peter Jay*, and ſigned by any two of them, and afterwards by the Treaſurer of this Colony, for the Time being, unto whom the ſaid Signers are to deliver the ſame, as herein after is directed; and in each of the ſaid Bills is to be added, after the Word *for*, the Figure of one or more Crowns; or the Figure of one or more Pounds, according to the Value they are reſpectively intended to paſs current for: And after ſuch Figures, their reſpective Value is to be imprinted, in Words at length; *That is to ſay*, In two Hundred of them, the Words, *Ten Pounds*: In four Hundred of them, the Words, *Five Pounds*: In five Hundred of them, the Words, *Three Pounds*: In five Hundred of them, the Words, *Two Pounds*: In one Thouſand of them, the Words, *Twenty Shillings*: In three Thouſand of them, the Words, *Ten Shillings*; and, In four Thouſand of them, the Words, *Five Shillings*: And after the Figures 1739, and at the lower Part of the Bills, to add, in capital or ſmaller Letters, their reſpective Value; as in other Bills of Credit has been uſual.

The Signers Names.

VII. **Be it further Enacted** *by the Authority aforeſaid*, That the before-named Signers, or the greater Number of them, ſhall be, and hereby are impowered, directed, and required, upon the Delivery of the ſaid Bills, by the Printer thereof, to adminiſter unto him, and he is hereby required, to take an Oath, in the Words following;

Printer's Oath.

I A. B. *do ſwear, That from the Time the Letters or Types, and Stamps, were put in the Preſs, for printing the Bills of Credit now delivered by me to you, until the Bills were printed, and the Letters or Types, afterwards diſtributed into the Boxes; I went at no Time out of the Room in which the ſaid Letters were, without locking them up, ſo as they could not be come at, without Violence, a falſe Key, or other Art then unknown to me; and to the beſt of my Knowledge, no Copies were printed off, but in my Preſence; and that all the Blotters, and other Papers whatſoever, impreſſed by the ſaid Letters, whilſt ſet for printing the ſaid Bills, to the beſt of my Knowledge, are here delivered to you, together with the Stamps: And in all Things relating to this Affair, I have well and truly demeaned myſelf, according to the true Intent and Meaning of the Law, in that Caſe made, to the beſt of my Knowledge and Underſtanding.* So help me GOD.

WHICH Printer, at the Time he has Orders and Directions, from the ſaid Signers, to print the ſaid Bills, ſhall have a Copy of this Oath, that he may govern

govern himſelf accordingly: *Provided Always*, That if any unforeſeen Accident, has happened or might happen, he may have the Liberty of making an Exception thereof in his Oath, he declaring fully, to the Satisfaction of the ſaid Signers, how it was. And if any more of the ſaid Bills are printed, when the ſaid Signers, or any two of them, have ſigned the Number and Sorts, they are hereby directed to deliver unto the ſaid Treaſurer; they ſhall immediately burn, or otherwiſe deſtroy all the Remainder; and before the ſaid Signers do receive any of the ſaid Bills, each of them ſhall take an Oath before any of the Magiſtrates of the City of New-York, *That they ſhall and will well and truly, perform, what by this Act they are enjoyned as their Duty, and will knowingly ſign no more Bills of Credit, than what by this Act is directed.*

Signers Oath.

VIII. **Be it Enacted** *by the ſame Authority*, That the Stamps for the Tops and Sides of the ſaid Bills, and of the ſaid Figures, as well as of the ſaid Arms, now in the Cuſtody of the Treaſurer of this Colony, ſhall by him be delivered to *William Bradford*; who is hereby appointed to print all the ſaid Bills, and required to give a Receipt for the ſaid Stamps, and therein oblige himſelf to return them to him, well cleaned and in good Order, as ſoon as all the ſaid Bills ſhall be printed; which Redelivery is to be done in the Preſence of the ſaid Signers, who are at the ſame Time to ſeal up, with their ſeveral Seals, the ſaid Stamps; which are then to remain, ſo ſealed up, in the Treaſury, until they ſhall be directed to be made Uſe of by any future Act of the General Aſſembly. And in Caſe of the Death, or Inability of the above named *William Bradford*, to print the ſaid Bills of Credit; the ſaid Signers, or the greater Number of them, ſhall be, and hereby are impowered to appoint ſome other Printer in his Place, for the Services aforeſaid; and in ſuch Caſe, ſuch Printer ſhall take the ſame Oath, obſerve the like Directions, and be entitled to the like Reward, as is provided for the ſaid *Bradford*.

How the Stamps are to be delivered and returned.

IX. **Be it Enacted** *by the ſame Authority*, That when the exact Number and Sorts of the Bills hereby directed to be ſtruck, ſhall be numbered and ſigned by the ſaid Signers; they ſhall deliver the ſame to *Abraham De Peyſter*, Treaſurer of this Colony, or to the Treaſurer thereof for the Time being, as likewiſe one Copy of each Impreſſion thereof, upon which they ſhall remark how the Bills are numbered; and to leave ſuch Copies with the ſaid Treaſurer, to be carefully preſerved by him, for the better Diſcovery of Counterfeits, if any ſhould happen to be made of the ſaid Bills. And at the Time of ſuch Delivery, the ſaid Signers are to take an Oath upon the Holy Evangeliſts, before the Mayor, Recorder, or any Alderman of the City of *New-York*, *That the Bills then delivered to the ſaid Treaſurer, are all the Bills ſigned by them, by Virtue of this Act; and that they will not ſign any more, unleſs by Act or Acts of the General Aſſembly thereunto impowered.*

The Signers to deliver the Bills to the Treaſurer,

Upon Oath.

X. **Be it Enacted** *by the ſame Authority*, That when the ſaid Quantity and Sorts of the ſaid Bills, are delivered to the ſaid Treaſurer, in Manner as aforeſaid, he ſhall give a Receipt to the ſaid Signers, for the ſame; and not imploy them, or any of them, for any other Uſe or Purpoſe whatever, than to exchange them for ſuch torn, ſhattered, and defaced Bills, emitted by the before-mentioned two *long Bills*, or thoſe already exchanged in Lieu of them, as ſhall, from Time to Time, be tendered to him for that Purpoſe; which he is hereby directed to do, provided ſuch Bills are otherwiſe good, and *bona fide*, ſtruck by Virtue of the Acts herein mentioned, referred to.

Bills to be exchanged for old Ones.

XI. **And be it Enacted** *by the Authority aforeſaid*, That before any of the ſaid Bills ſhall be exchanged, for the Purpoſes above-mentioned, by the Treaſurer, he ſhall firſt ſign each of them, under the Names of two of the firſt Signers; and in every one that he ſhall give out in Exchange, he ſhall firſt make

How the Treaſurer ſhall ſign and mark the Bills.

13th *GEORGE* II. A. D. 1739.

make the following Additions, towards the left Side of the Arms of *New-York*, *to wit*. In ſuch as he exchanges for original Bills, to add in Figures, only the Year they were emitted in, whether One Thouſand ſeven Hundred and Fourteen, or One Thouſand ſeven Hundred and Seventeen; but in ſuch as he ſhall exchange for Bills that have been exchanged before, he is firſt to put in Figures, the Year ſuch Bill was ſtruck in, for that Purpoſe, whether One Thouſand ſeven Hundred and Twenty-four, One Thouſand ſeven Hundred and Twenty-ſix, or One Thouſand ſeven Hundred and Thirty; and under that, the Year ſuch Bills was exchanged in Lieu of, whether One Thouſand ſeven Hundred and Fourteen, or One Thouſand ſeven Hundred and Seventeen; which Additions are to be obſerved, as Bills to be ſtruck by Virtue of this Act ſhall be exchanged, to the End proper Diſtinctions may be made, when Bills are to be cancelled, and an exact Account kept thereof accordingly. And to facilitate the ſame, each Sort of the Bills to be exchanged, in Manner as aforeſaid, are to be kept by the Treaſurer in ſeparate Bundles, that it may the readier be known, to what Number and to what Value of each Sort have been, or ſhall be exchanged.

How the Treaſurer is to Act in Relation to counterfeit Bills.

XII. **Be it further Enacted** *by the Authority aforeſaid*, That if any Bill or Bills of Credit, ſhall be tendered to him for exchanging, or for paying Duties or Taxes, which he ſhall have good Reaſon to ſuſpect are counterfeit, or altered, ſo as to appear of a higher Value than they were originally ſtruck for; it ſhall and may be lawful for the ſaid Treaſurer, to ſtop and detain ſuch ſuſpected Bill or Bills, and to endorſe thereon, the Name of the Perſon or Perſons tendering the ſame, and the Time when: And all ſuch Bill or Bills as he ſhall ſo ſtop or detain, ſhall, by him, be delivered to the Court or Courts of Quarter-Seſſions, to be held for the City and County of *New-York*; who, thereupon, are either to deſtroy the ſame in the ſaid Court, or to proceed thereon, as to their Diſcretion ſhall ſeem meet: And it ſhall and may be lawful to and for the Mayor, Recorder, or Aldermen, of the ſaid City, to ſtop and detain any ſuſpected Bill or Bills, and to do therewith what, in ſuch Caſe, is hereby directed to be done by the Treaſurer: And it ſhall and may alſo be lawful, for all Juſtices of the Peace, in their reſpective Counties, within this Colony, to ſtop and detain ſuch ſuſpected Bill or Bills, as aforeſaid, and making the above-mentioned Endorſement thereon, deliver the ſame, from Time to Time, at the next general Seſſions of the Peace, to be held for ſuch County; who are, thereupon, either to deſtroy the ſame in ſuch Court, or to proceed thereon, as to their Diſcretion ſhall ſeem meet: And the ſaid Court or Courts, are hereby required, from Time to Time, reſpectively, to certify to the ſaid Treaſurer, the Numbers and Value of the Bills they ſhall deſtroy, in Manner as aforeſaid. *Provided neverthelefs*, That Nothing herein contained, ſhall alter or leſſen the Puniſhment, inflicted by this, or any other Act of Aſſembly, on Perſons counterfeiting, or altering Bills of Credit, made current in this Colony.

How the Printer of the Bills ſhall be paid.

XIII. And whereas, it may reaſonably be concluded, that, of the Bills of Credit, emitted by Virtue of the Acts herein-mentioned, a conſiderable Quantity has already been loſt, and that ſtill a farther Quantity will be loſt, before the Expiration of the Time, for which the Currency of thoſe Bills is continued, by this Act; and as ſuch Loſſes redound altogether, to the Benefit of this Colony, **Be it Enacted** *by the Authority aforeſaid*, That the Treaſurer ſhall pay, out of the Bills to be emitted, by Virtue of this Act, to the before-named *William Bradford*, for printing of all the ſaid Bills, and for furniſhing Pens, Ink, and Paper, to the Signers thereof, the Sum of *Ten Pounds*; and a Receipt for it, from the ſaid *William Bradford*, ſhall be a good Voucher and Diſcharge, to the Treaſurer, for that Sum; and in the Bills, ſo to be paid, he ſhall, inſtead of the Additions herein before directed, add, at the left Hand of the Arms of *New-York*, in Figures, the Year 1739, to the End they may be diſtinguiſhed from Bills exchanged in Lieu of others.

XIV.

13th *GEORGE* II. A. D. 1739.

XIV. **Be it Enacted** *by the Authority aforesaid*, That all the Bills of Credit, to be emitted by Virtue of this Act, when exchanged in Lieu of other the Bills therein-mentioned, shall be, and remain current in all Payments, and in the Treasury, as fully and effectually, to all Intents, Constructions, and Purposes whatsoever, as any other Bills of Credit, made current in this Colony, by any former Act or Acts of the General Assembly thereof, until the before-mentioned first Day of *November*, which will be in the aforesaid Year of our Lord Christ, One Thousand seven Hundred and Fifty-seven.

How long these Bills shall be current.

XV. AND for preserving the Reputation, as well of the Bills of Credit, whereof the Currency, is herein before continued, as of those which are to be emitted and exchanged by Virtue of this Act; **Be it Enacted** *by the Authority aforesaid*, That if, during the Currency of all the said Bills, any Person or Persons, shall refuse to accept of any one or more of them, in Payment; or shall presume to forge, counterfeit, or alter, or cause to be forged, counterfeited, or altered; or willingly act or assist in the forging, counterfeiting, or altering any one or more, of the aforesaid Bills; or shall knowingly pass, or give in Payment, any one or more of the said Bills, so forged, counterfeited, or altered, during the Time aforesaid; every such Person shall incur, and be subject to the same Pains, Penalties, and Forfeitures, which in such Cases are provided for, in, and by an Act of General Assembly, entitled, ‡ *An* Act *for the Payment of the Debts, and for the better Support of the Government of this Colony*, passed in the Eleventh Year of His present Majesty's Reign,

The Penalty and Punishment for refusing and counterfeiting the Bills.

XVI. AND if, during the Time hereby limited for the Currency of the Bills of Credit, to be emitted by Virtue of this Act, the whole Quantity of the said Bills, should not actually be exchanged, according to the Directions and Intent of this Act; **Be it Enacted** *by the Authority aforesaid*, That all such of the said Bills, as shall remain so unexchanged, on the before mentioned first Day of *November*, which will be in the Year One Thousand Seven Hundred and Fifty-seven, shall continue, and remain in the Treasury, until the same shall be disposed of, by Act or Acts of the General Assembly, thereafter to be passed for that Purpose.

What is to be done with the Bills unexchanged, on the 1st *November*, 1757.

CHAP. DCLXXVII.

An ACT *towards the further supporting the Government of this Colony, until the first Day of* December, *which will be in the Year One Thousand Seven Hundred and Forty, by continuing the Duties granted and continued by the two Acts therein mentioned.*

Pass'd the 17th of November, 1739.

Expir'd 1st of *November*, 1740. Provided for by Chap. 703.

CHAP. DCLXXVIII.

An ACT *to raise in the Township of* Schenectady, *a Sum not exceeding* Thirty two Pounds, *for the Use therein mentioned.*

Pass'd the 17th of November, 1739.

Obsolete.

CHAP. DCLXXIX.

An ACT *to revive an Act, entitled,* An *Act* to impower the Justices of the Peace in the County of *Albany*, living or dwelling in the Town of *Schenectady*, in the said County, to regulate the Streets and Highways, and to prevent Accidents by Fire in the said Town.

Pass'd the 17th of November, 1739.

See Chap. 335. Reviv'd Ch. 893.

‡ *We suppose it to refer to* Ch. 666. *which is the only Act of* 11*th* George 2*d, that has any Similitude to this Title.*

13th GEORGE II. A. D. 1739.

Obsolete.

CHAP. DCLXXX.

An ACT *for raiſing in the South Part of* Orange *County, a Sum not exceeding* One Hundred Pounds, *for finiſhing and compleating the Court-Houſe and Goal in* Orange *Town.*

Paſs'd the 17th of November, 1739.

CHAP. DCLXXXI.

See Chap. 595. Reviv'd, *and made perpetual, by* Ch. 882.

An ACT *to revive an Act, entitled,* An *Act* for the Encouragement of Whaling.

Paſs'd the 17th of November, 1739.

CHAP. DCLXXXII.

See Chap. 574. Expired the 1ſt *December*, 1744. Provided for by Chap. 774.

An ACT *to continue an Act, entitled,* An *Act* to prevent the Deſtruction of Sheep by Dogs.

Paſs'd the 17th of November, 1739.

CHAP. DCLXXXIII.

Expired 1ſt of *December*, 1740.

An ACT *to apply the Monies granted for the Support of the Government, as well for diſcharging the Salaries and Contingencies that have accrued already, as thoſe that will become due by the firſt Day of* September, *One Thouſand Seven Hundred and Forty.*

Paſs'd the 17th of November, 1739.

CHAP. DCLXXXIV.

Expired 1ſt of *November*, 1740.

An ACT *letting to Farm the Exciſe on Strong-Liquors, retailed in this Colony, for the Time, and to the Perſons therein mentioned.*

Paſs'd the 17th of November, 1739.

CHAP. DCLXXXV.

See Chap. 545. Expired 1ſt of *December*, 1750, *but* provided *for by* Chap. 887.

An ACT *for reviving an Act, entitled,* An *Act* for regulating Fences, for the ſeveral Cities and Counties, within this Colony of *New-York.*

Paſs'd the 17th of November, 1739.

CHAP. DCLXXXVI.

See Chap. 575. Amended Ch. 795 Continued by Chap. 888.

An ACT *to continue an Act, entitled,* An *Act* for the better clearing, regulating, and further laying out publick Highways in the County of *Suffolk*; *with ſome Additions thereto.*

Paſs'd the 17th of November, 1739.

I. **Be it Enacted** *by his Honour the Lieutenant-Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That one Act of General Aſſembly, entitled, *An* Act *for the better clearing, regulating, and further laying out publick Highways in the County of* Suffolk, paſſed in the ſixth Year of his preſent Majeſty's Reign, being near expired, by its own Limitation, ſhall be, and hereby is continued, and every Clauſe, Article, and Thing therein contained, to be and remain of full Force and Virtue, until the firſt Day of *December*, which will be in the Year of our Lord One Thouſand ſeven Hundred and Fifty.

Continued to 1ſt *December*, 1750.

II. **And be it Enacted** *by the Authority aforeſaid,* That the Freeholders and Inhabitants of each reſpective Town, Manor, and Precinct, within the County aforeſaid, ſhall be, and hereby are authorized and impowered, at their annual Meetings, for electing of Town-Officers, to chuſe and elect, at the ſame Time,

The Freeholders, *&c.* of the County of *Suffolk*, may annually chuſe

Time, ſo many Perſons, to be Commiſſioners, to regulate the Highways or Roads, and to lay out ſuch other publick Roads, as may be ſtill neceſſary, within the ſaid County, as the Majority of the Freeholders and Inhabitants of each Town, Manor, and Precinct, in the ſaid County, ſhall judge neceſſary, for the Purpoſe aforeſaid; and the Perſon or Perſons, ſo choſen and elected Commiſſioners, ſhall be, and hereby are required, to take that Office upon him and them, and be veſted with all and ſingular the Powers and Authorities, and entitled to the ſame Reward given to ſuch Officers, by the herein before-mentioned Act, in whoſe Room and Stead they ſhall and may be choſen and elected, in Manner aforeſaid; and be ſubject and liable to the ſame Penalties and Forfeitures, if they neglect or refuſe to diſcharge their Duty in that Station; any Thing in this, or the before-mentioned Act, to the contrary notwithſtanding.

13th *GEORGE* II. A. D. 1739.

Commiſſioners for regulating Highways.

CHAP. DCLXXXVII.

An ACT *to enable the Inhabitants of* Brook-haven, *in the County of* Suffolk, *to elect two Conſtables at the Places therein mentioned.*

Paſs'd the 17th of November, 1739.

WHEREAS the Inhabitants of the Town of *Brook-haven*, in the County of *Suffolk*, having, by their Patent, the Liberty of chuſing but one Conſtable; and the ſaid Town being ſince conſiderably increaſed in Number of Inhabitants and Settlements; it is conceived neceſſary, that their Liberty, in this Reſpect, ſhould be enlarged:

Preamble.

I. **Be it therefore Enacted** *by his Honour the Lieutenant-Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after the Publication of this Act, it ſhall and may be lawful to and for the Inhabitants of *Brook-haven*, aforeſaid, and they are hereby impowered, to elect and chuſe two Conſtables more, yearly, at the Times already fixed and ſettled for the Election of one Conſtable; one of which Conſtables to be elected and choſen from, and out of ſuch of the Inhabitants as have Habitations within that Part of *Brook-haven*, commonly called, *The Old Man's*; and the other, from and out of ſuch of the Inhabitants as have Habitations within that Part of *Brook-haven*, commonly called, *The South Side*; any Uſage or Cuſtom to the contrary, in any wiſe notwithſtanding.

The Inhabitants of *Brook-Haven*, impowered to chuſe 2 Conſtables yearly.

CHAP. DCLXXXVIII.

An ACT *for the further continuing an Act, entitled,* An *Act* for the better clearing, regulating, and further laying out publick Highways, in *Kings* County, *Queens* County, *Richmond* County, and *Orange* County; *with ſome Additions thereto.*

Paſs'd the 17th of November, 1739.

See Chap. 581. Explained by Chap. 761. Expired 1ſt of *December*, 1745. Provided for by Chap. 805.

CHAP. DCLXXXIX.

An ACT *for the further continuing an Act, entitled,* An *Act* to prevent the ſetting on Fire, or burning the old Graſs on *Hampſtead-Plains*; with an Addition thereto.

Paſs'd the 17th of November, 1739.

See Chap. 579. Continued Ch. 898. *in which the Addition to this Act is ſupplied, and therefore this is not neceſſary to be printed.*

CHAP. DCXC.

An ACT *to encourage the Deſtroying of Wild Cats, and for the Preſervation of Deer, in the County of* Suffolk.

Paſs'd the 17th of November, 1739.

Expired 1ſt of *December*, 1741; *but ſupplied by a general Act, to prevent the killing of Deer*, Chap. 892.

13th *GEORGE* II. A. D. 1739.

See Chap. 587. Continued by Chap. 779.

CHAP. DCXCI.

An ACT *to reſtrain Hawkers and Pedlars, within this Colony, from ſelling without Licence.*

Paſs'd the 17th of November, 1739.

I. **Be it Enacted** *by his Honour the Lieutenant-Governor, the Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after the Twenty-fifth of *March* next, there ſhall be anſwered and paid to his Majeſty, his Heirs and Succeſſors, by every Hawker, Pedlar, Petty-Chapman, or any other trading Perſon or Perſons, going from Town to Town, or to other Men's Houſes, and travelling either on Foot, or with Horſe, Horſes, or otherwiſe, within this Colony of *New-York*, (except as hereafter is excepted) carrying to ſell, or expoſing to Sale, any Goods, Wares, and Merchandizes, a Duty of *Five Pounds per Annum:* And that every Perſon, ſo travelling with Horſe, or other Beaſt bearing or drawing Burden, ſhall pay the Sum of *Five Pounds per Annum*, for each Horſe, or other Beaſt, bearing or drawing Burden, with which he or ſhe ſhall ſo travel, over and above the ſaid firſt mentioned Duty of *Five Pounds*.

The Sums to be paid annually by Hawkers, &c.

II. **And be it Enacted** *by the Authority aforeſaid*, That every Pedlar, Hawker, or Petty-Chapman, and other trading Perſon or Perſons, ſo travelling, as aforeſaid, within this Colony, ſhall take a Licence from the Treaſurer of this Colony, for the Time being; and in order thereto, ſhall deliver unto the ſaid Treaſurer, a Note in Writing, under his or her Hand, or under the Hand of ſome Perſon, by him, her, or them, authoriſed in that Behalf, how, and in what Manner, he or ſhe will travel and trade, whether on Foot, or with one or more Horſes, or other Beaſt, bearing or drawing Burden; and according to ſuch Notification, he or ſhe, ſhall pay unto the ſaid Treaſurer, for the Time being, the full Sum or Sums above-mentioned; and upon Payment thereof, to the ſaid Treaſurer, he is to give a Licence, under his Hand and Seal, to the Perſon or Perſons making ſuch Payment, to travel with his or her Wares, for Sale, for the Term of one Year, either ſingle, or with one or more Horſes, according to the Sum of Money, paid by ſuch Perſon or Perſons; for which Licence, there ſhall be paid, by the Perſon to whom the ſame ſhall be granted, the Sum of *Three Shillings*, and no more, over and above the Duties aforeſaid; and which Licence, and Method of obtaining and granting thereof, ſhall be good and effectual; and that the Treaſurer, for the Time being, ſhall keep a diſtinct Account of the Duties, to be received, by Virtue of this Act.

A Licenſe to be given them by the Treaſurer; to whom they muſt give a Notice in what Manner they will trade.

III. **And be it Enacted** *by the Authority aforeſaid*, That if any ſuch Hawker, Pedlar, or Petty-Chapman, from and after the ſaid twenty-fifth Day of *March*, and during the Continuance of this Act, be found trading, as aforeſaid, without, or contrary to ſuch Licence; ſuch Perſon ſhall, for each and every ſuch Offence, forfeit and pay, the Sum of *Thirty Pounds*, current Money of this Colony; the one Moiety thereof to the Informer, and the other Moiety to the Poor of the Town, or Place wherein ſuch Offender ſhall be diſcovered. And that every Perſon, ſo trading, who, upon Demand, made by any Juſtice of the Peace, Sheriff, Conſtable, or any other Perſon, within this Colony, where he or ſhe, ſhall ſo trade, ſhall refuſe to produce, or ſhew, his, her, or their Licence for ſo trading, to be granted as aforeſaid; that then the Perſon ſo refuſing, ſhall forfeit *Five Pounds*, to be paid to the Overſeers of the Poor, where ſuch Demand ſhall be made, to the Uſe of the Poor of the Place; and for Non-payment thereof, ſhall ſuffer one Month's Impriſonment.

Penalties for trading without a Licence.

Penalties for not ſhewing ſuch Licence when demanded,

IV. And

IV. **And be it further Enacted** *by the Authority aforesaid*, That if any Person or Persons, shall forge or counterfeit any Licence or Licences, to travel with such forged or counterfeited Licence, for the Purposes aforesaid; such Person shall forfeit the Sum of *Fifty Pounds*; one Moiety thereof to his Majesty, his Heirs and Successors, to be applied as the Governor, or Commander in Chief, for the Time being, Council, and General Assembly of this Colony, shall hereafter think fit; and the other Half to him or them, that shall prosecute, or sue for the same; to be recovered by Action of Debt, Bill, Plaint, or Information, in the Supreme, or any of the inferior Courts, within this Colony, in which no Essoin, Protection, Wager of Law, or more than one Imparlance shall be allowed.

And for forging a License.

V. **And be it further Enacted** *by the Authority aforesaid*, That if any Person or Persons shall be sued, molested, or troubled, for putting in Execution, any of the Powers, contained in this Act, or for doing any Matter or Thing, pursuant thereto; such Person or Persons, shall, and may plead the General Issue, *Not Guilty*, and give the special Matter in Evidence: And if the Plaintiff or Plaintiffs, shall become Non-suit, or discontinue his, or their Action; or if a Verdict pass against him or them; the Defendant shall recover treble Costs; for which Execution shall issue in such Manner, as in other Cases where Costs are allowed to Defendants.

Persons sued for executing this Act, may plead the General Issue, and recover treble Costs.

VI. **And be it further Enacted** *by the Authority aforesaid*, That it shall, and may be lawful, for any Person or Persons whatsoever, to seize and detain any such Hawker, Pedlar, or petty Chapman, or other trading Person or Persons, as aforesaid, who shall be found trading without a Licence, contrary to the true Intent and Meaning of this Act; and him, her or them, so seized, to carry before one or more of His Majesty's Justices of the Peace, of the County or Place, where such Offence or Offences shall be committed; which said Justice or Justices of the Peace, is, and hereby are authorized, and strictly required (either upon the Confession of the Party offending, or due Proof of any one or more credible Witnesses upon Oath, which Oath, he or they is, and are hereby impowered to administer, *That the Person so brought before him or them, had so traded as aforesaid*; and if no such Licence shall be produced by such Offender, before the said Justice or Justices) by Warrant under his, or their Hands and Seals, or under the Hand and Seal of one of them, to cause the said Sum of *Thirty Pounds*, to be forthwith levied by Distress, and Sale of the Offenders Goods, Wares, or Merchandizes, rendering the Overplus, if any be, to the Owner or Owners thereof, after true Deduction for the reasonable Charge of taking the said Distress; and out of the Sale, to pay the said respective Penalties and Forfeitures aforesaid.

Any Person may seize and carry a Pedlar who shall trade without License, before a Justice of Peace.

VII. And in order to prevent the giving of any unnecessary Trouble, to any Person or Persons, who shall suspect any such Hawker, Pedlar, petty Chapman, or other trading Person, trading without a License; **Be it Enacted** *by the Authority aforesaid*, That upon Refusal of producing such Licence, to any Person or Persons demanding the same, and it be afterwards produced to the Justice or Justices; such Offenders, for such Refusals, shall forfeit and pay to the Person or Persons demanding the same, the Sum of *Thirty Shillings*, current Money aforesaid.

Every Pedlar shall produce his License to any Person requiring him, or forfeit 30*s*.

VIII. **And be it further Enacted** *by the Authority aforesaid*, That the Monies to arise by Virtue of this Act, shall be applied as the Governor, or Commander in Chief for the Time being, the Council, and General Assembly of this Colony, shall hereafter think fit, and not otherwise.

In what Manner the Money raised, is to be applied.

IX. **Provided**

13th *GEORGE* II. A. D. 1739.

To what Perſons this Act ſhall not be conſtrued to extend.

IX. **Provided always, and be it Enacted** *by the Authority aforeſaid*, That neither this Act, nor any Thing therein contained, ſhall extend to prohibit any Perſon from ſelling any Fiſh, Fruit or Victuals; or to hinder any Perſon or Perſons, who are the real Workers, or Makers of any Goods or Wares, of his, her or their own manufacturing, in any publick Market, Fair, or elſewhere; nor any Tinker, Glaſier, Cooper, Plummer, Taylor, or other Perſon, uſually trading, in mending or making of Cloaths, Kettles, Tubs, or Houſhold-Goods whatſoever, from going about, and carrying with him or them, proper Materials for making and mending the ſame.

No Hawking to be allowed in *New-York* and *Albany*.

X. **Provided alſo, and be it Enacted** *by the Authority aforeſaid*, That neither this Act, nor any Thing therein contained, ſhall extend, or be conſtrued, to give any Power for the Licencing any Hawker, Pedlar, or petty Chapman, to ſell, or expoſe to Sale, any Wares or Merchandizes, in the Cities of *New-York* and *Albany*; any Thing herein contained to the contrary notwithſtanding.

What Perſons ſhall not be deemed Pedlars.

XI. **Provided likewiſe**, That any Perſon or Perſons, coming to any Town or Towns with a Cargo of Goods and Merchandizes, and bring the ſame into a Houſe, in ſuch Town, where they are to lodge or reſide, at leaſt the Space of Thirty Days, and diſpoſing of their Goods or Merchandizes in ſuch Houſe only; ſuch Perſon or Perſons ſhall not be deemed a Hawker, Pedlar, or petty Chapman, within the Meaning of this Act; any Thing therein to the contrary notwithſtanding.

Continuance of this Act.

This Act to continue in Force, from the Twenty-fifth Day of *March* next, to the Twenty-fifth of *March*, which will be in the Year of our Lord, One Thouſand Seven Hundred and Forty-five.

CHAP. DCXCII.

See Chap. 599. Revived Ch. 737.

An ACT *to revive an Act, entitled*, An *Act* to prevent the Penning and Folding of Sheep, and Neat Cattle, feeding on *Hampſtead-Plains*.

Paſs'd the 17th of November, 1739.

14th *GEORGE* II. A. D. 1740.

Obſolete.

CHAP. DCXCIII.

An ACT *for tranſporting and victualling Volunteers inliſted in this Colony, to ſerve in the Expedition therein mentioned.*

Paſs'd the 12th of July, 1740.

See Chap. 674. Continued by Chap. 716.

CHAP. DCXCIV.

An ACT *to continue an Act, entitled*, An *Act* to regulate the Militia of this Colony, with an Addition thereto.

Paſs'd the 3d of November, 1740.

Expired 1ſt of *November*, 1741.

CHAP. DCXCV.

An ACT *for letting to Farm the Exciſe on Strong-Liquors retailed in this Colony, from the firſt Day of* November *next, to the firſt Day of* November, *in the Year One Thouſand Seven Hundred and Forty-one.*

Paſs'd the 3d of November, 1740.

Obſolete.

CHAP. DCXCVI.

An ACT *to enable the Juſtices of the Peace, living in that Part of* Orange *County, lying to the Northward of the Mountains, for raiſing a Sum, not exceeding* One Hundred Pound, *for finiſhing and compleating the Court-Houſe and Goal in* Goſhen.

Paſs'd the 3d of November, 1740.

CHAP

14th GEORGE II. A. D. 1740.

Expired 3d of *November*, 1742. Provided for by Chap. 736.

CHAP. DCXCVII.

An ACT *to encourage the Deſtroying of Wolves and Panthers, in* Dutcheſs *County, and of Wolves in* Ulſter *and* Orange *Counties.*

Paſs'd the 3d of November, 1740.

CHAP. DCXCVIII.

An ACT *to prevent Abuſes in the Re-packing of Beef and Pork.*

See Chap. 759.

Paſs'd the 3d of November, 1740.

Preamble.

WHEREAS frequent Complaints have been made, of Abuſes committed in the Re-packing of Beef and Pork, and putting the Brand-Mark of the City of *New-York*, on Barrels containing Beef and Pork, imported from other Places, particularly *North-Carolina*, *Virginia* and *Maryland*, to the Diſreputation and Undervaluing of the Beef and Pork of the Produce of this Colony, exported from hence: To prevent which Abuſes for the future;

How Barrels of ſound Beef and Pork ſhall be branded.

How foreign and unſound Beef and Pork, ſhall be branded.

Beef and Pork, not perfectly ſound and merchantable, not to be branded at all.

The Penalty for branding Beef, &c. contrary to this Act.

I. Be it Enacted *by the Lieutenant Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That all Beef and Pork which ſhall be re-packed in the City of *New-York*, after the Publication of this Act, the Barrels containing the ſame, ſhall, after ſuch Re-packing, be branded by the ſworn Packers of the ſaid City, re-packing the ſame, with the diſtinguiſhing Brand-Marks here under-mentioned, and in no other Manner whatever; *that is to ſay*; On all Barrels containing Beef or Pork, which is *bona fide*, and in Fact, ſound, firm, and really good and merchantable, the ſaid Packers ſhall and may put the Brand of *New-York*, thus: N. YORK. And upon all Barrels containing Beef or Pork, that ſhall be found otherwiſe, and on all Barrels containing Beef or Pork, being of the Produce of *Maryland*, *Virginia*, or *North-Carolina*, or which the ſaid Packers ſhall ſuſpect or diſcover to be of the Produce of any of thoſe Places; they ſhall not preſume to brand the ſame with the ſaid *New-York* Brand-Mark, but only with the Letter M. or the Letter V. or the Letters N. C. as the Caſe ſhall happen: But on ſuch Barrels in which the Pork or Beef contained therein, ſhall not be perfectly ſound and merchantable, the ſaid Packers ſhall not be permitted to put any Brand-Mark whatever: And every ſuch Packer or Packers, as ſhall preſume to brand Barrels containing Pork or Beef, in any other Manner than according to the Directions of this Act, ſhall be ſubject and liable to the Fines and Penalties thereby inflicted on thoſe who ſhall contravene the ſame.

The Packers Oath.

II. And for the due Obſervance of the foregoing Directions; Be it Enacted *by the Authority aforeſaid*, That every one of the preſent Re-packers of Meat in the City of *New-York*, ſhall, within ten Days next after the Publication of this Act, and every other Perſon and Perſons, hereafter to be appointed ſuch a Re-packer, ſhall, before he takes upon himſelf to exerciſe that Office, take an Oath, (or, if a Quaker, an Affirmation) before the Mayor, or Deputy-Mayor, or Recorder of the ſaid City, for the Time being (who are hereby impowered and required to adminiſter the ſame) in the Words following, *to wit.*

I A. B. *do ſwear (or affirm) That during the Time that I am a Packer or Re-packer of Meat in the City of* New-York, *I ſhall not, directly or indirectly, myſelf, or by my Conſent, Privity or Procurement, brand, or cauſe, or ſuffer to be branded, any Barrels containing Pork or Beef, which ſhall be repacked by me, in my Preſence, in any other than the following Manner,* That is to ſay: *On ſuch only as contain Meat that is* bona fide, *and in Fact, ſound, firm, and really good and merchantable, the Brand of* New-York; *thus,* N. YORK. *On ſuch contain Meat not perfectly of the Goodneſs above mentioned, and on all ſuch as ſhall be*

14th *GEORGE* II. A. D. 1740.

be imported from Maryland, Virginia, *or* North-Carolina, *or that I ſhall diſcover or ſuſpect to be the Produce of any of thoſe Places, with the Letter* M. *or the Letter* V. *or the Letters* N. C. *as the Caſe may require. And no Brand whatever, on Barrels which contain unſound or unmerchantable Meat.* So help me GOD.

Size of the Casks, and the Number of Heads and Shins to be packed in each.

III. **Be it Enacted** *by the Authority aforeſaid,* That when Packers or Re-packers, ſhall be ſo qualified, they ſhall, in their re-packing of Meat, not put any of the before mentioned Brands, on Barrels to be re-packed by them, that contain leſs than Thirty-one Gallons; and every ſuch Barrel is to be well hooped with ten Hoops at leaſt, and made fit to hold Pickle; and in each Barrel of Pork they ſhall not put, or ſuffer to be put, more than four half Hog's Heads; and in each Barrel of Beef, any more than two Shins; and each Barrel ſo repacked ſhall be twice trodden down at leaſt, and be ſalted with a ſufficient Quantity of Salt, not leſs than a Half-Buſhel.

Penalty on Packers for Offences againſt this Act.

How to be recovered, levyed, and applyed.

IV. **Be it further Enacted** *by the Authority aforeſaid,* That for every Offence which any of the ſaid Packers ſhall make, or commit, againſt the true Intent and Meaning of this Act, and be thereof convicted, before the Mayor or any one Juſtice of the Peace for the ſaid City of *New-York,* by the Oath of one or more credible Witneſs or Witneſſes; he or they ſo offending and convicted, ſhall, for every ſuch Offence, forfeit and pay the Sum of *Five Pounds,* current Money of this Colony; the one Half to the Informer, and the other Half for and to the Uſe of the Poor of the City of *New-York*; to be levied by Warrant under the Hand and Seal of the ſaid Mayor or Juſtice, on the Goods and Chattels of ſuch Offenders; and if ſuch can't be found, then the ſaid Offender or Offenders ſhall be committed to the common Goal of this City, and there be kept and remain, until he ſhall have ſo paid the ſaid Fine, and the lawful Charges accrued in levying the ſame.

Unſound Beef and Pork mixed with that branded with the *New-York* Brand, to be forfeited, one Half to the Informer, the other Half to the Poor.

And the Perſon intermixing the ſame, to Forfeit double the Value of the Beef and Pork, &c.

V. **And be it further Enacted** *by the Authority aforeſaid,* That if any Perſon or Perſons, ſhall, at any Time or Times hereafter, intermix or ſhift any Beef or Pork, being unſound or unmerchantable, or of the Produce of the aforeſaid Countries of *North-Carolina, Virginia* or *Maryland,* or any or either of them, with any Beef or Pork branded with the *New-York* Brand, as is herein before directed; all the Beef or Pork ſo intermixed or ſhifted, ſhall be forfeited; one Half to the Informer or Perſon who ſhall ſeize or diſcover the ſame, and the other Half to the Poor of the City of *New-York*; to be levied as aforeſaid: And the Perſon or Perſons ſo intermixing or fraudulently ſhifting ſuch Beef or Pork, and being thereof convicted, before any one Juſtice of the Peace, ſhall forfeit and pay double the Value of the Beef or Pork ſo intermixed or ſhifted; to the Uſes aforeſaid; and alſo be committed to the common Goal of the ſaid City, until he ſhall be thence delivered by due Courſe of Law; and ſuch Perſon or Perſons, offending in the Premiſſes, are hereby enacted and declared to be guilty of a Cheat, and ſhall be proſecuted as ſuch accordingly.

CHAP. DCXCIX.

Obſolete.

An ACT *to enable the Mayor, Recorder, and Aldermen of the City of* Albany *and Juſtices of the Peace, of the ſaid City and County, to build a new Court-Houſe and Goal, for the ſaid City and County.*

Paſs'd the 3d of November, 1740.

CHAP. DCC.

Repealed by Chap. 861.

An ACT *to cancel the Bills of Credit emitted in the Year One Thouſand Seven Hundred and Fifteen, One Thouſand Seven Hundred and Twenty, One Thouſand Seven Hundred and Twenty-three, and One Thouſand Seven Hundred and Twenty-four.*

Paſs'd the 3d of November, 1740.

CHAP.

14th *GEORGE* II. A. D. 1740.

CHAP. DCCI.

An ACT *to repeal that Part of an Act, to lay a Duty on the Goods, and a Tax on the Slaves therein mentioned, during the Time, and for the Use mentioned in the same, which imposes a Duty on Cyder, Pork and Beef, and to grant in lieu thereof, a Duty on Goods sold at Vendue.*

See Chap. 624. Expired 1st of *December*, 1744.

Pass'd the 3d of November, 1740.

CHAP. DCCII.

An ACT *to pay the Rev. Mr.* Alexander Malcolm, *the Sum of* One Hundred and Eleven Pounds, Seven Shillings and Six-pence, *out of the Fund therein mentioned.*

Private.

Pass'd the 3d of November, 1740.

CHAP. DCCIII.

An ACT *for and towards Supporting the Government of this Colony, by granting to His Majesty the Duties therein mentioned; from the first Day of* December, *One Thousand Seven Hundred and Forty, to the first Day of* December, *One Thousand Seven Hundred and Forty-One.*

Continued by Chap. 709.

Pass'd the 3d of November, 1740.

Preamble.

WHEREAS the Duties and Impositions granted by former Acts of the General Assembly, for the Support of his Majesty's Government in this Colony, will determine on the first Day of *December* next ensuing; and the said Assembly being heartily disposed to make timely Provision for and towards the further Support thereof;

How long the Duty shall continue.

I. **Be it Enacted** *by his Honour the Lieutenant-Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same,* That there shall be, and hereby is given and granted to his Majesty, his Heirs and Successors, for and towards supporting his Government in and over this Colony, and to and for no other Use or Purpose whatever, the Duties and Impositions herein after mentioned, on the several Goods and Merchandizes herein particularly enumerated, which shall be imported into this Colony, from and after the first Day of *December*, in this present Year One Thousand Seven Hundred and Forty, to the first Day of *December* inclusive, which will be in the Year One Thousand Seven Hundred and Forty-one, *that is to say*;

Duty on Slaves.

For every Negro, Mulatto, or other Slave, of four Years old and upwards, imported directly from *Africa*, five Ounces of *Sevil*, *Pillar* or *Mexico* Plate, or *Forty Shillings*, in Bills of Credit made current in this Colony.

For every such Slave, as aforesaid, of four Years old and upwards, imported from all other Places, by Land or Water, the Sum of *Four Pounds*, in like Money.

On Wine.

For every † Pipe of Wine, without Distinction or Exception, nor any other Allowance, than what is herein after explained, from all Places whence they may legally be imported, the Sum of *Thirty Shillings*, in like Money; and after that Rate, for a greater or lesser Quantity.

On Rum and Spirits.

For every Gallon of Rum, Brandy, and other distilled Liquors, as likewise for every Gallon of Shrub, or any other Liquors, of which the greater Part is distilled Spirits, from all Places whence the same may legally be imported, the Sum of *Two Pence*, in like Money.

† *See* § III. *of* Chap. 904; *which ascertains the Size of Pipes, Hogsheads, and Quarter-Casks, in which* Madeira *Wine is imported into this Colony.*

14th *GEORGE* II. A. D. 1740.

On Cocoa.

For every Hundred Weight of Cocoa (reckoning One Hundred and Twelve Pounds to the Hundred) the Sum of *Four Shillings*, in like Money; and after that Rate, for a greater or leſſer Quantity, to be computed or weighed as herein after is directed and explained.

On Dry-Goods.

And for all European or Eaſt-India Goods, imported from the *Britiſh* Iſlands, with proper Certificates, the Sum of *Five Pounds*, in like Money, for every *Hundred Pounds* Value, prime Coſt; and after that Rate, for a greater or leſſer Quantity.

Duty on Slaves explained.

II. And to avoid and clear up Diſputes that may happen concerning the Duty on Slaves; **Be it Enacted** *by the Authority aforeſaid*, That all Slaves imported from *Africa*, in the ſame Veſſel which took them on board on any Part of that Coaſt, ſhall pay no greater Duty for each of them, than the ſaid *Forty Shillings*, tho' ſuch Veſſel had ſtop'd at, or entred in any other Port or Ports, before her Arrival here: *Provided*, The Maſter or Mate, and ſome other Officer, which came in ſuch Veſſel from *Africa*, make Oath before the Treaſurer of this Colony, That the Slave or Slaves ſo imported here, had been actually taken on board of that Veſſel on the Coaſt of *Africa*, and had not been landed or put on Shore in any other Place, after the ſame had been ſo taken on board of that Veſſel, on the ſaid Coaſt.

Slaves belonging to Veſſels, or travelling upon the Service of their Owners, or under 4 Years, exempted.

III. **Be it Provided and Enacted** *by the Authority aforeſaid*, That all ſuch Slaves as belong to the Navigation of any Veſſel, or coming from, or going to the neighbouring Colonies, upon the Service of their Maſters or Miſtreſſes, and ſuch as are under the Age of four Years; ſhall be, and hereby are exempted from the Duty impoſed by this Act, on Slaves.

Slaves waiting upon their Owners, free of Duty. Provided, the Owners give Security to the Treaſurer, that the Duty ſhall be paid, in Caſe ſuch Slaves are ſold.

The Forfeiture for not paying ſuch Duty.

IV. **Be it further Provided and Enacted** *by the ſame Authority*, That every Perſon and Perſons, coming here ſingly, or with their Families, either for the Recovery of their Healths, or to reſide in the City or Colony of *New-York*; ſhall be allowed Duty free, all ſuch Slave or Slaves, as he, ſhe or they, ſhall bring with them, for his, her or their particular Service: *Provided*, That the Owner and Owners, of ſuch Slave or Slaves, ſhall, within four Days after the Importation thereof, give ſufficient Security to the ſaid Treaſurer, That whenever ſuch Slave or Slaves, is, or ſhall be ſold, the Duty impoſed by this Act, ſhall be paid for the ſame, within two Days after ſuch Sale: And upon Failure of paying ſuch Duty within that Time, the Owner or Diſpoſer of ſuch Slave or Slaves, ſhall forfeit the Sum of *Ten Pounds*, for every Slave ſo ſold; and the Slave or Slaves ſo ſold, ſhall nevertheleſs be ſubject to the ſaid Duty.

The Age of Slaves, in Caſe of Diſputes, to be determined by two Juſtices of Peace.

V. And if any Diſputes ariſe concerning the Age of Slaves, during the Continuance of this Act; **Be it Enacted** *by the Authority aforeſaid*, That the Slave or Slaves about which ſuch Diſputes may happen, ſhall be brought before, or viewed by two Juſtices of the Peace, and their Opinion or Judgment thereon, ſhall finally determine, whether ſuch Slave ſhall be deemed under or above the Age of Fourteen.

In Caſe Slaves die within Thirty Days after they are imported, they ſhall be exempted from Duty.

Slaves ſent from the *Britiſh* Iſlands for the Recovery of their Healths, upon what Proof and Security, exempted.

VI. **Be it Enacted** *by the ſame Authority*, That ſuch of the Slaves ſo imported as aforeſaid, as ſhall die within Thirty Days after his or her Arrival, ſhall be exempted from the Duty before mentioned: *Provided*, Proof be made upon Oath before the ſaid Treaſurer, That he or ſhe was ſick at the Time of the Importation thereof. And if any Slave or Slaves, ſhall be ſent from the *Britiſh* Iſlands, for the Recovery of their Health, the ſame ſhall likewiſe be exempted of the ſaid Duty: *Provided*, Proof is made in Manner as aforeſaid, That ſuch Slave was ſent hither for the Recovery of his or her Health only; and that Security be given to the ſaid Treaſurer, to pay the Duty thereof, in Caſe ſuch Slave doth not die

of

or be ſent back, within eight Months after the Landing thereof, or within two Days after the Sale thereof, if ſold in this Colony, within the Time above mentioned.

VII. AND whereas it has been credibly repreſented, that a great Number of Slaves, have clandeſtinely been imported into this Colony, both by Land and by Water, to the great impairing of the Duty laid on them, and to the eminent Diſcouragement of fair Traders: For Remedy whereof; **Be it Enacted** *by the Authority aforeſaid*, That it ſhall and may be lawful, for all Importers of Slaves, at the Time he, ſhe or they, pays, or ſecures the Payment of the Duty thereof, to demand of the Treaſurer, for every one of ſuch Slaves, a Certificate, that the Duty thereof is ſatisfied; and thereupon he is to give for every ſuch Slave to the Importer, a Certificate in the Form following, *viz.*

Treaſurer to give Certificate to the Importers of Slaves, that the Duty is paid.

TREASURY-OFFICE.

THIS is to Certify, That Duty has been paid to me, according to Law, by for one Slave, named being a aged Years, or thereabouts, imported from Witneſs my Hand, this Day of Anno

And then to ſign the ſame as Treaſurer.

Form of the Certificate.

IN which firſt Blank, is to be put the Name of the Perſon paying; in the ſecond, whether Negro, Mulatto, or Indian; in the third, the Slave's Name; in the fourth, whether Man, Woman, Boy or Girl; in the fifth, the Age; in the ſixth, the Iſland or Place from whence; and in the three laſt, the Day, Month and Year, in Figures. And the Treaſurer is hereby obliged to give ſuch Certificates under his Hand, for every Slave, to the Importer deſiring the ſame; for each of which Certificates, the ſaid Importer is to pay to the ſaid Treaſurer, for his Trouble therein, the Sum of *One Shilling*, and no more; and the Seller or Sellers, of ſuch Slave or Slaves, are hereby obliged to deliver to the Purchaſer or Purchaſers thereof, ſuch Certificate, for Proof that the Duty is paid for ſuch Slave or Slaves.

Directions for filling up the Blans in the Certificate.

The Treaſurer's Fee for the Certificate.

The Seller of the Slave to deliver the Certificate to the Purchaſer.

VIII. **Be it further Enacted** *by the ſame Authority*, That if any Perſon or Perſons, ſhall ſuſpect any Slave or Slaves to have been clandeſtinely imported into this Colony, by Land or Water; it ſhall be lawful for every ſuch Perſon and Perſons, to enquire of the Owner or Poſſeſſor thereof, whether Duty has been paid for the ſame, and to demand a Sight of the Treaſurer's Certificate thereof: And if the Owner or Poſſeſſor of ſuch Slave, ſhall refuſe to produce the ſame, it ſhall be lawful for the Perſon demanding ſuch Sight, to ſummons ſuch Owner or Poſſeſſor, before the next Juſtice of the Peace; and if he or ſhe, do then and there produce ſuch Certificate, the Perſon ſo ſummoned, is only to pay for the Summons, and the Charge of ſerving it; and then ſuch Slave is to be diſcharged: And if no ſuch Certificate is then produced, the ſaid Owner or Poſſeſſor, is immediately to enter into Recognizance to his Majeſty, in the Value of ſuch Slave; *Conditioned*, That he or ſhe ſhall produce ſuch a Certificate as aforeſaid, within a Time to be limited therein, and not exceeding Thirty Days: And if ſuch Certificate is not produced at or before the Expiration of the Time ſo limited; the ſaid Recognizance ſhall be forfeited, and is hereby directed to be put in Suit accordingly: But if the Party refuſe to enter into ſuch Recognizance, the ſaid Juſtice is hereby required to commit the ſaid Slave into ſafe Cuſtody: And if no ſuch Certificate, as aforeſaid, is produced to the ſaid Juſtice, within Thirty Days thereafter; then and in ſuch Caſe, the ſaid Slave ſhall be, and hereby is declared to be, forfeited to his Majeſty, for the Uſe herein after mentioned, and ſhall be ſold at publick Vendue, to the higheſt Bidder, by the ſaid Juſtice, aſſiſted by two other Juſtices, one whereof to be of the *Quorum*, giving at leaſt ten Days publick

How to diſcover if Slaves be clandeſtinely imported and the Penalty.

14th *GEORGE* II. A. D. 1740.

Notice before ſuch Sale: And of what ſhall be recovered upon the Forfeiture of ſuch Recognizance, as aforeſaid, or the Money to ariſe by the Sale before mentioned, one Half ſhall be paid to the ſaid Treaſurer, to and for the Support of this Government, and the other Half to the Perſon or Perſons who ſhall take out a Summons in the Manner as aforeſaid; the Charges of the Proſecution and Sale being firſt deducted out of the Whole. And for the Damages Purchaſers may ſuſtain, by having bought a Slave clandeſtinely imported into this Colony, whether by Land or by Water; he, ſhe or they, ſhall have their Remedy at Law, againſt the Perſon or Perſons who ſold the ſame to him, her or them.

Duty on Slaves imported into *Albany*, *Ulſter* and *Dutcheſs* Counties.

IX. And as all due Encouragement ſhould be given to direct Importations, ſo a proper Diſtinction ought to be made on Importations, which may be attended with Frauds, as the Caſe has too often happened; **Be it therefore Enacted** *by the Authority aforeſaid*, That inſtead of the Duty herein before laid on Slaves, there ſhall be, and hereby is given to his Majeſty, for the Uſe before mentioned, a Duty of *Five Pounds*, on every Slave upwards of four Years old, that ſhall be imported by Land, in the County of *Albany*, or in the County of *Ulſter*, or in *Dutcheſs County*, during the Continuance of this Act, under the Inſpections, Regulations and Reſtrictions herein after mentioned, *to wit*. Every ſuch Slave which ſhall be imported by Land in any of the ſaid Counties, ſhall, within three Days after the ſame ſhall be brought in the Limits of thoſe Counties reſpectively, ſhall be reported by the Importer, or ſome other Perſon in his or her Behalf, in the Manner following, *That is to ſay*; In the County of *Albany*, to the Mayor of the City of *Albany*, and in the Counties of *Ulſter* and *Dutcheſs*, to the reſpective Judges of the Inferior Courts thereof; and ſuch Reporter ſhall, at the ſame Time, pay the Sum of *Five Pounds*, for every Slave ſo reported, to the Perſon receiving ſuch Report; who is thereupon to give to him or her a Certificate under his Hand and Seal, in the Form herein before preſcribed, that Duty is paid by him or her for the Slave to be named and deſcribed therein; and ſuch Certificate ſhall be of the ſame Force and Effect as thoſe directed to be given by the Treaſurer, for the Space of Sixty Days, and no longer.

How Slaves imported in the County of *Albany*, *Ulſter*, and *Dutcheſs*, ſhall be reported.

The Sum paid for them, and Certificate to be given.

The Receiver of the Duty, to tranſmit to the Treaſurer an Account of the Duty paid, *&c.* and £. 4 for every Slave. Treaſurer to ſend a Certificate to the Perſons remitting the Money.

X. **Be it Enacted** *by the Authority aforeſaid*, That when Payment of the ſaid Duty ſhall be made, in the Manner above mentioned, ſuch of the ſaid Perſons as receive the ſame, are, with all convenient Expedition thereafter, to give an Account to the Treaſurer, when and by whom ſuch Duty is paid, and for what Slave, deſcribing the ſame in Manner as aforeſaid, and to tranſmit therewith, to the ſaid Treaſurer, the Sum of *Four Pounds*, for every Slave ſo reported to him, and the remaining *Twenty Shillings* he may retain for his Trouble therein: And the ſaid Treaſurer is, for every Slave he ſo receives the ſaid *Four Pounds* of, to ſend, with the like Expedition, to the Perſons who remitted the Money to him, a Certificate for ſuch Slave, under his Hand, in the Form herein before preſcribed; which Certificate is to be exchanged for that which was given in the County, and the latter to be cancelled: And ſuch of the before named Perſons, as ſhall omit or neglect to give ſuch Account, or make ſuch Remittance to the Treaſurer, as aforeſaid, ſhall forfeit the Sum of *Ten Pounds*, for every ſuch Omiſſion or Neglect.

Penalty for neglecting to give ſuch Account.

XI. **And be it Enacted** *by the ſame Authority*, That all Slaves imported by Land, into any of the Counties aforeſaid, as ſhall not be reported in the Manner before mentioned, and within the Time hereby limited for that Purpoſe, ſhall be forfeited: And all the ſaid Forfeitures ſhall and may be recovered by any Perſon or Perſons, in any Court of Record; one Half whereof is to be paid to the Treaſurer, towards the Support of this Government, and the other Half to him or them that ſhall ſue for and proſecute the ſame to Effect.

Slaves imported into the ſaid Counties not reported, to be forfeited.

XII. *Be*

XII. **Be it always provided, and be it Enacted** *by the Authority aforesaid*, That if any Purchaser of a Slave, should, by Fire or other Accident, have lost the Certificate hereby directed to be given by the Treasurer, shall prove, by credible Witnesses, that they had seen such Purchaser to have had such a Certificate; then, and in such case, such Proof shall be allowed to be of equal Force as the Certificate it self would have been; any Thing herein to the contrary thereof notwithstanding.

Proof of having lost a Certificate by Accident, of equal Force as the Certificate would have been.

XIII. **Be it Enacted** *by the Authority aforesaid*, That all Wines to be imported in this Colony, during the Continuance of this Act, shall be liable to pay full Duty, if filled up on board, or on Shore, whether they are found, or otherwise: But if the same are not filled up on board, or on Shore, *Ten per Cent.* out of the said Duty, is to be deducted out of the whole Parcel, which every Merchant or other Person, shall import in each Vessel respectively. *Provided nevertheless*, That if, of any such Parcel of Wine, it shall appear to the Treasurer, by the Oath of the Master, Mate, or one of the Mariners of the Vessel, importing the same, that one or more Pipes, or other Casks, are staved, or wholly leaked out, no Duty shall be demanded or paid, for the Pipe or Cask, that shall so appear to be staved, or wholly leaked out; and if, of such Person or Persons, as have only one or two Pipes, or other Casks of Wine, on board of any particular Vessel, one half Part or more thereof, should happen to be leaked out, Duty shall be paid for so much only as may remain therein; *Provided*, The sworn Guager do first certify to the Treasurer, the real and net Contents thereof; for which Certificate, the said Guager is to demand and receive from the Importer, the Sum of *Twelve Pence*, and no more.

How Duty of Wine shall be calculated in Case of Leakage.

XIV. AND whereas it is evident, that the allowing of a Draw-Back on Wine exported in Time, will very much encourage the Importing a much larger Quantity of it, than is required for the Consumption of this Colony; and as the same is chiefly purchased with the Produce of this Country, it is not less evident, that the more Wine is imported, so it will afford the greater Vent of our Country Produce; increase our Trade and Navigation; enable the Merchants to supply other Parts when their Markets encourage it; and at the same Time, rather augment than lessen the Amount of the Duty now imposed on it; **Be it therefore Enacted** *by the Authority aforesaid*, That if any of the Wines to be imported in this Colony, from the Commencement of this Act, and during its Continuance, shall, *bona fide*, be exported to any Place or Places beyond Sea (the Colonies of *Connecticut* and *New-Jersey* excepted) within six Months after its Importation, there shall be drawn back out of the Duty paid, or secured to be paid for the same, the Sum of *Twenty Shillings*, for every Pipe of Wine filled up, that shall be so exported, under the Restrictions and Regulations herein after provided and directed.

Draw-Back of 20*s.* per Pipe, for Wine exported beyond Sea.

XV. AND to prevent all Manner of Fraud in the said Draw-Back; **Be it Enacted** *by the same Authority*, That before any Person or Persons shall be entitled thereto, or have the Benefit thereof, the Wine intended for Exportation, shall be duly entred with the Treasurer, before the same are shipped; and at the same Time, an Oath (or, if a Quaker, an Affirmation) is to be made before the said Treasurer, *That all the Wines so entred for Exportation, were imported in the whereof was Master, and that the same were duly entred with the Treasurer of this Colony, and Duty thereof actually paid, or secured to be paid, on the Day of* And the Exporter is to swear, or affirm, *That the Wines entred for Exportation, are intended to be transported beyond Sea, exclusive of the Colonies of* Connecticut *and* New-Jersey, *and are not intended to be relanded in this Colony; and that in Case he or she shall thereafter, know or suspect such Wines to be relanded, or intended to be relanded in this Colony, he or she shall immediately*

The Wine to be entred with the Treasurer, before Exportation.

The Exporter's Oath.

14th *GEORGE* II. A. D. 1740.

Directions for filling up the Blanks in it.

immediately give Notice thereof unto the ſaid Treaſurer: And in the firſt Blank above, is to be inſerted the Name of the Ship or Veſſel in which ſuch Wines were imported; in the ſecond Blank, the Name of the Maſter of ſuch Ship or Veſſel; in the third, the Day of the Month; and in the laſt, the Month and Year.

The Exporter alſo to take Oath of the Number of Pipes ſhipped by him, and of the Names of the Maſter, Veſſel, *&c.* The Oath to be filed or entred by the Treaſurer.

XVI. **Be it further Enacted** *by the ſame Authority*, That when an Exporter of Wine ſhall have proceeded in the Manner before directed, and that ſuch Wine is actually put on board of the Veſſel in which the ſame is intended to be exported; ſuch Exporter is then to make Oath (or an Affirmation, if a Quaker) *Of the exact Number of filled up Pipes of Wine, ſo put on board by him or her, as likewiſe of the Names of the Maſter, the Veſſel, and of the Place or Port ſhe is bound to*: After which, the ſaid Treaſurer is to put ſuch Oath or Affirmation on a File, or enter in a Book, as well for his own Juſtification, as to be made Uſe of, if any indirect Practices ſhould be committed.

In Caſe Wine be reimported, the Importer to enter the ſame, and pay back to the Treaſurer the Draw-back.

The Forfeiture for relanding Wine clandeſtinely.

The Recovery and Application of the Forfeiture.

XVII. **And be it further Enacted** *by the Authority aforeſaid*, That if Wine for which the ſaid Draw-Back ſhall be allowed, ſhould be re-imported, the Importer thereof, ſhall duly enter the ſame before the Landing thereof, to the Treaſurer, and pay back to him, within ten Days after ſuch Importation, the Draw-Back which ſhall have been allowed for the ſame at its Exportation: But if ſuch Wine ſhould be relanded in a clandeſtine or fraudulent Manner, the ſame ſhall be forfeited; and if ſuch fraudulent relanding ſhould be committed by the Perſon who had, or was to have the Benefit of the ſaid Drawback thereof, or by his or her Order; he or ſhe, ſhall moreover forfeit double the Value of ſuch Wine; and the ſaid Forfeitures ſhall and may be recovered in any Court of Record within this Colony, by Bill, Plaint or Information, wherein no Eſſoyn, Wager of Law, or more than one Imparlance ſhall be allowed; one Third of which Forfeitures is to be paid to the Treaſurer, to and for the Support of this Government; one other Third to the Governor, or Commander in Chief for the Time being; and the remaining Third to the Perſon or Perſons who ſhall ſue for and proſecute the ſame to Effect: And of all the Drawback which ſhall, by Virtue of this Act, be remitted or paid by the Treaſurer, he is to keep a particular Account, and to render the ſame on Oath, as his other Accounts are herein after directed to be rendered by him.

The Treaſurer to keep an Account of the Drawback, and render the ſame on Oath.

How the Duty of Rum, and other diſtilled Liquors, are to be calculated.

XVIII. **Be it further Enacted** *by the Authority aforeſaid*, That the Duty hereby impoſed on Rum, Brandy, and other diſtilled Liquors, as likewiſe on Shrub, or any other Liquors, of which the greater Part is diſtilled Liquors, imported in the City of *New-York*, during the Continuance of this Act; ſhall be calculated from the Accounts which the ſaid Guager ſhall render to the Treaſurer, of the Net Contents thereof: And the ſaid Guager is hereby obliged and required, to deliver ſuch Accounts to the ſaid Treaſurer, from Time to Time; mentioning the Names of the Veſſel, Maſter and Importer of ſuch Liquors, within fourteen Days next after he ſhall have guaged the reſpective Parcels thereof; and in ſuch guaging, he is to do Juſtice between the King and the Importer, according to the beſt of his Skill and Underſtanding.

Ten Gallons of Wine, Rum or other diſtilled Liquors, allowed to Maſters for Sea Store, free of Duty.

XIX. And whereas Maſters or Commanders, often have ſome Remains of Wine, Rum, or other diſtilled Liquors, left of their Sea Store, when they arrive in this Port, which ought to be Duty free, if the Quantity is but ſmall **Be it Enacted** *by the ſame Authority*, That if ſuch remaining Sea Store doth not exceed the Quantity of *Ten Gallons* of Wine, or *Ten Gallons* of Rum, or other diſtilled Liquors; the ſame ſhall paſs free of Duty; but for what ſuch Stores exceed the ſaid Quantities, Duty ſhall be paid according to this Act.

XX. Be

How Duty of Cocoa is to be calculated.

XX. **Be it further Enacted** *by the Authority aforesaid*, That all Persons importing Cocoa, during the Continuance of this Act, shall enter the same with the Treasurer of this Colony, before its being landed; and at the same Time, to produce unto him, the Invoice or Invoices thereof; and if the same doth thereby appear to be in *English* Weight, the Tare of the Cask or Thing containing it, is only to be deducted: But if it so appears to be in *Dutch* Weight, the Tare of the Thing containing, is first to be deducted, and of the Remainder, Duty is to be paid for every One Hundred and Four Pounds *Dutch* Weight, as of One Hundred and Twelve Pounds; and in that Proportion for a greater or lesser Quantity: And all such Parcel and Parcels of Cocoa, whereof no Invoices is or are produced, are to be weighed at the sole Charge of the Importer, or the Person entring the same; and where Invoices are produced, the Person producing the same, is to make Oath (or, an Affirmation, if a Quaker) to the said Treasurer, *That such Invoice is real, and true, to the best of his Knowledge and Belief*; otherwise the Cocoa is to be weighed at the sole Charge of the Person importing or entring the same, in Manner as aforesaid.

How Duty of Dry-Goods is to be calculated.

XXI. **Be it Enacted** *by the Authority aforesaid*, That of all *European* or *East India* Goods, to be imported during the Continuance of this Act, from the *British* Islands in the *West-Indies*, the Importer, or Person entring the same, shall, in their respective Entries thereof to the Treasurer, set down and mention the prime Cost of such Goods, and make Oath (or an Affirmation, if a Quaker) *That such Value is according to the Invoice thereof sent to him or her, or brought by him or her, from the Island or Islands such Goods came; and that he or she believes such Invoice is real and true:* And if no such Invoice is produced, or that any Disputes should arise concerning such Value, the Treasurer is to nominate and appoint one credible Merchant, and the Importer another, who are to appraise such Goods to the best of their Judgments; and according to such Appraisement, which is to be at the sole Charge of the Importer, the real Value of such Goods is to be ascertained.

How Masters of Vessels shall make their Entries of Goods.

XXII. And for the effectual securing the Payment of the several Duties imposed by this Act; **Be it Enacted** *by the Authority aforesaid*, That the Master, Mate, or Purser, of every Ship or other Vessel, which shall, during the Continuance of this Act, come into any Port, Creek or Harbour within this Colony, to trade or traffick, shall not only make Report to his Majesty's Collector, or his Deputy, according to Law, but shall likewise, if any dutiable Goods are found, repair to the Treasurer of this Colony, within Forty-eight Hours after his Arrival in the Port of *New-York*, and make to him a full and true Report, of all and every Parcel and Parcels, of the several Goods and Commodities, whereon a Duty is laid by this Act, which were on board of such Ship or Vessel, at her Arrival in this Colony; and to deliver an exact and true Manifest thereof, under his Hand, to the said Treasurer, mentioning therein the Quantities of such dutiable Goods, and the Name and Names of the Person and Persons to whom the same belong, or are consigned; and at the same Time, to take the following Oath (or an Affirmation, if a Quaker) *to wit*.

The Master's Manifest.

I *of the called the do swear (or affirm)* That this *Manifest is true*; *and that no more, or other Slaves, Wine, Rum or other distilled Liquors, Shrub, Cocoa, or dutiable Dry-Goods, were on board of the said Vessel when she arrived within this Colony, than those mentioned in this Manifest.*

In which first Blank, is to be put the Name of the Person swearing or affirming, and whether he is Master, Mate, or Purser; in the second, the Nature of the Vessel, whether Ship, Snow, Brigantine, Sloop, Schooner, *&c.* and in the third, the Name of the Vessel; and to add thereto the Name of the Place she came last from.

XXIII. And

14th *GEORGE* II. A. D. 1740.

How in Caſe Goods are conſigned to another Port.

XXIII. AND to the End, Veſſels bound or intended for this Colony, which have on board Wine, or Rum, conſigned to other Colonies, may not be diſcouraged from coming directly hither; **Be it Enacted** *by the ſame Authority*, That when ever the Caſe ſhall ſo happen; the Perſon making Report, and delivering a Manifeſt in the Manner before mentioned, of all the dutiable Goods brought by ſuch Veſſel into this Colony, he is to mention therein diſtinctly, the Quantity of Wine and Rum bound elſewhere, together with the Name or Names, of the Perſon or Perſons, as alſo the Place or Places the ſame belong, or are conſigned to; and to add to the Oath or Affirmation before mentioned, *viz. And I do further ſwear (or affirm) for the Goods mentioned in this Manifeſt, to be bound elſewhere, I actually ſigned Bills of Lading for that Purpoſe, at the Place they were taken on board.* And the Wine and Rum ſo ſworn to, ſhall and may be carried to the Place they are conſigned to, either in the ſame Veſſel, or in other: *Provided*, the Exporter do firſt ſwear, or affirm, before the Treaſurer, *That ſuch Liquors are not deſigned or intended to be landed, or brought back into this Colony:* And all Wine and Rum ſo reported, ſworn to, and exported as aforeſaid, ſhall be free of the Duty impoſed by this Act; any Thing therein to the contrary notwithſtanding.

Wine and Rum may be carried to the Place the are conſigned to, without Duty, on the Exporter's ſwearing that ſuch Liquors are not intended to be brought back.

XXIV. **Be it further Enacted** *by the Authority aforeſaid*, That all Maſters or Commanders of Veſſels, coming into this Colony, to trade or traffick, who ſhall omit or neglect to make ſuch Report, and take ſuch Oath or Affirmation, as aforeſaid, to and before the ſaid Treaſurer, within the Time before mentioned for that Purpoſe, or ſhall land or put on Shore within the Limits of this Colony, any of the before mentioned dutiable Goods, (except Slaves attending on their Maſters or Miſtreſſes;) he and they ſo offending, ſhall forfeit to his Majeſty, his Heirs and Succeſſors, the Sum of *One Hundred Pounds*, current Money of this Colony; one Third whereof for the Support of his Government in this Colony, and paid to the Treaſurer thereof, for that Uſe; one other Third to the Governor, or Commander in Chief for the Time being; and the remaining Third to the Perſon or Perſons who ſhall ſue for, and proſecute the ſame to Effect, by Bill, Plaint, or Information, in any Court within this Colony; *Provided*, That ſuch Suit or Suits, ſhall be brought within ſix Months next after the Offence is committed, and at no Time thereafter.

The Penalty on Maſters of Veſſels for not making due Entry.

XXV. **Be it Enacted** *by the ſame Authority*, That if any Merchant, Factor or other Perſon, ſhall land or put on ſhore, any of the before mentioned dutiable Goods, before he or they have duly entred the ſame with the Treaſurer, and paid, or ſecured the Payment of the Duty thereof, to him, according to this Act; all ſuch dutiable Goods, ſo landed or put on ſhore (except Slaves attending on their Maſters and Miſtreſſes) ſhall be forfeited, recovered, applied and divided in the Manner before mentioned.

Penalty on Merchants for not making due Entry, &c.

XXVI. **Be it further Enacted** *by the Authority aforeſaid*, That after Report and Entry is made in the Manner before mentioned, of any Ship or other Veſſel coming to trade or unload in this Colony; every Merchant, Factor or other Perſon, having dutiable Goods on board of ſuch Veſſel, or ſome other Perſon in his or their Behalf, ſhall make particular Entry of ſuch Goods to the Treaſurer, and at the ſame Time, to pay unto him the Duties thereof, if the ſame do not exceed the Sum of *Ten Pounds*; and if ſuch Duties exceed the ſaid Sum, he, ſhe or they, ſo entring or owning ſuch Goods, ſhall well and ſufficiently ſecure the Payment thereof, within three Months after the Date of the Entry of ſuch Goods, by Bond or Bill, at the Diſcretion of the ſaid Treaſurer, who is thereupon to give *gratis*, to the Perſon ſo paying, or ſo ſecuring the Payment of ſuch Duties, a Certificate to the Land and Tide-Waiter, for the Time being, that Duties are paid, or ſecured to be paid, according to this Act; for

If the Duties are under £.10, to be paid immediately; if above, within three Months.

On Duty being ſecured, the Treaſurer to certify the ſame to the Tide-Waiters.

for the Goods to be mentioned in such Certificate; and thereupon such Goods shall and may be landed and housed, without any Manner of Hindrance or Obstruction.

XXVII. **Be it also Enacted** *by the same Authority*, That for the Recovery of such of the Duties imposed by this Act, as shall not be paid within three Months after the Entry thereof, the said Treasurer shall be, and hereby is fully authorised and impowered, to cause Process to be issued against all and every Person and Persons, who shall stand indebted for Duties longer than the three Months allowed for the Payment thereof: And the said Treasurer is hereby further authorised and impowered, to cause the like Process to be issued against all and every Person and Persons, who owe any Duties, or Arrears of Duty, arisen by Virtue, as well of the Act, entitled, *An* Act *for granting to his Majesty several Duties towards supporting his Government in this Colony for one Year, at the Time, and in the Manner therein mentioned*; (which Act stands continued to the first Day of *December*, in this present Year, One Thousand Seven Hundred and Forty) as of any former Act or Acts by which Duties have been imposed for the Support of this Government, notwithstanding those Acts are expired by their own Limitation: And for this Purpose, such Parts only of the said expired Acts, as are requisite to recover the Debts and Arrears aforesaid, are hereby declared to be of full Force: And in these Cases, all Courts within this Colony, in which Suits shall be brought for such Duties, or Arrears of Duties, as aforesaid, shall allow the Entries of Importers with the Treasurer, good and sufficient Evidence in Law.

The Treasurer impowered to sue for the Duties.

XXVIII. **Be it further Enacted** *by the Authority aforesaid*, That if the said Treasurer shall not cause Process to be made, for any Duties to arise by Virtue of this Act, at the End of the three Months hereby limited for the Payment thereof; such Duties, and the Arrears thereof, as he shall so omit to sue for, shall be deemed as Assets in his Hands, and shall in such Case be answerable for the same accordingly.

Penalty for not sueing in three Months.

XXIX. AND to the End the said Treasurer may not be left Remediless in the Case above mentioned; **Be it Enacted** *by the same Authority*, That he shall be, and hereby is fully authorised and impowered, to commence and prosecute Suits in his Majesty's Name, but at his own Cost and Charge, for such Part of the above mentioned Duties, as by the foregoing Clause he is made answerable for.

Treasurer may sue in the King's Name, but at his own Costs.

XXX. AND for the better Inspection of the said Duties in the Port of *New-York*; **Be it Enacted** *by the Authority aforesaid*, That during the Continuance of this Act, all Masters of Vessels who have dutiable Goods on board, and report the same to the Treasurer, shall acquaint the Land and Tide-Waiter, at which of the Wharffs or usual landing Places, he intends to put such Goods ashore; and such Master as shall presume to land them at any other Place (unless by Permission of such Officer) shall forfeit, tho' the Goods were duly entred, the Sum of *Five Pounds*; to be recovered before any two Justices of the Peace, who are hereby impowered to hear and determine the same; one Half of which Forfeiture to be paid to the Treasurer, towards the Support of this Government, and the other Half to the Officer who shall sue for, and recover the same: *Provided nevertheless*, That Slaves may be landed at any other Place, as soon as the Master has made Report thereof in Manner as aforesaid.

Masters of Vessels to acquaint the Tide Waiter, where they will unload.

XXXI. AND for the End before mentioned; **Be it Enacted** *by the same Authority*, That the present Land and Tide-Waiter, or the Land and Tide-Waiter for the Time being, shall be, and hereby is vested with all proper Powers to execute the Office of a Land or Tide-Waiter; and is strictly charged and

Land and Tide-Waiters Duty.

14th *GEORGE* II. A. D. 1740.

required, diligently and conſtantly to attend and perform that Service in the beſt Manner he is able, according to the Directions, and true Meaning of this Act, as well for preventing Frauds and Abuſes in the Duties thereby impoſed, as to give no unneceſſary Delay to Merchants or Maſters of Veſſels, in the Diſpatch of their Buſineſs.

The Treaſurer to adminiſter Oaths.

XXXII. AND to the End, Trade and Navigation may meet with all reaſonable Diſpatch; **Be it Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony ſhall be, and hereby is, fully authoriſed, impowered and required, to adminiſter all and every the Oaths and Affirmations by this Act directed to be taken by Maſters, Mates or Purſers of Veſſels, and by Merchants and Importers of dutiable Goods; for adminiſtring of which, no Fee or Reward is to be taken.

Goods for which the Duty has been paid being exported, and afterwards returned, to be free from a ſecond Duty.

XXXIII. **Be it Provided and Enacted** *by the ſame Authority*, That if any of the Goods hereby made dutiable, and for which the Duty has actually been paid, ſhould be exported out of this Colony, and afterwards returned to, and re-imported within the ſame; ſuch Goods ſhall be free from paying a ſecond Duty: *Provided*, An Oath (or an Affirmation, if a Quaker) be made before the Treaſurer, *That the Duty has been actually paid for ſuch Goods; the Time when, and in what Veſſel, and from what Place the ſame were firſt imported into this Colony.*

Mr. *Sylveſter* appointed to collect the Duty in the County of *Suffolk*; and on his Death, *&c.* another be appointed by the Commander in Chief for the Time being, with the Approbation of Council, till another is appointed by the Aſſembly.

The Duty of thoſe Officers.

XXXIV. AND that the Duties impoſed by this Act, may be ſecured and received in the County of *Suffolk*; **Be it Enacted** *by the Authority aforeſaid*, That *Brinly Sylveſter*, Eſq; the preſent Officer of the Colony Duty in the ſaid County; and in Caſe of his Death or Removal, ſuch other fit and diſcreet Perſon reſiding in the Town of *South-hold*, or *Shelter-Iſland*, as ſhall be commiſſionated by the Lieutenant-Governor, or Commander in Chief for the Time being, with the Approbation of the Council, until another be appointed by the General Aſſembly; ſhall be, and hereby is fully authoriſed, impowered, directed and required, to inſpect and manage the Duties impoſed by this Act, and to ſecure and receive the ſame, for all the dutiable Goods and Merchandizes that ſhall be imported in the ſaid County of *Suffolk*, and the Diſtrict thereof, during the Continuance of this Act; and of all the Duties to ariſe thereby, he is to keep exact Books; and every ſix Months he is to tranſmit true Accounts thereof upon Oath, to the Treaſurer of this Colony, together with all and every Sum and Sums of Money which he ſhall receive by Means of the ſaid Duties; and a Receipt thereof from the ſaid Treaſurer, ſhall be to him a ſufficient Diſcharge for ſo much as ſhall therein be mentioned to be received.

The Power of the Officer in the County of *Suffolk*.

XXXV. **Be it Enacted** *by the ſame Authority*, That in all Matters relating to the ſaid Duties in the County of *Suffolk*, the before mentioned Officer ſhall, in every Reſpect, and to all Intents and Purpoſes whatever, have the ſame Power and Authority, to do, perform and execute, all and ſingular the Powers, Duties and Functions in the ſaid County, as in this Act is given to, and required from the Treaſurer, and Land and Tide-Waiter in *New-York*, in as full and ample Manner, to all Intents, Conſtructions and Purpoſes whatever, as if the ſame Powers, Duties and Functions, were expreſsly herein given to him directly; and he is hereby required to act accordingly. And for Slaves whereof the Duty ſhall be paid to him, he ſhall and may give and ſign Certificates, in the ſame Form herein before preſcribed; which ſhall be of the ſame Uſe and Effect, as thoſe herein directed to be given and ſigned by the Treaſurer; and he ſhall be allowed the like Fee for the ſame.

All Maſters of Veſſels, Merchants, *&c.* and all dutiable Goods landed in *Suffolk*, liable to

XXXVI. **Be it likewiſe Enacted** *by the Authority aforeſaid*, That all Maſters, Mates or Purſers, coming to trade or traffick in the ſaid County of *Suffolk*, and all Merchants, Factors, and all other Perſons, whether acting for themſelves or for others; and likewiſe all the dutiable Goods that may come to, or be landed in the ſaid County, during the Continuance of this Act; ſhall be ſubject

and liable to all the Rules, Regulations and Injunctions, and liable to the same Fines, Penalties and Forfeitures, as are herein before enacted for the Port of *New-York*, as well under the Management of the Treasurer, as under the Inspection of the Land and Tide-Waiter, as fully, amply, and effectually, to all Intents, Constructions and Purposes whatever, as if those several Matters were at large inserted in this Clause.

the same Rules, &c. as those brought to *New-York*.

XXXVII. **Be it Enacted** *by the same Authority*, That if (during the Continuance of this Act) another Officer of the Colony Duty in *Suffolk* County, or another Land and Tide-Waiter in the Port of *New-York*, be appointed; they severally shall take the usual Oaths of such Officers, before they take upon themselves the Execution of their respective Office.

Future Officers of Duty of *Suffolk*, and Land and Tide-Waiter in *New-York*, to take the usual Oaths.

XXXVIII. **Be it Enacted** *by the Authority aforesaid*, That the said Officer in *Suffolk* County, shall have Power to appoint an honest able Person to guage all such dutiable Liquors as shall be imported there, during the Continuance of this Act; and the Reward of such Guaging, shall be at the sole Charge of the Importer.

A Guager to be appointed in *Suffolk* County, by the said Officer.

XXXIX. **Be it also Enacted** *by the same Authority*, That all Fines, Penalties and Forfeitures, which may happen to become due in the said County, during the Continuance of this Act, shall be recovered, applied and divided in the Manner herein before directed; *Provided*, That all dutiable Goods which shall be carried to the said County, from the Port of *New-York*, and of which the Duty has been paid there, shall not be liable to pay Duty in the said County.

How the Fines, &c. accruing in *Suffolk* County, shall be recovered and applied.

XL. **Be it further Enacted** *by the Authority aforesaid*, That it shall be lawful, to and for the said Officer in *Suffolk* County, to retain in his Hands, the Sum of *One Shilling and Six Pence*, on every Pound which he shall receive by Virtue of this Act, and pay unto the Treasurer in Pursuance thereof, as a Reward for the several Services hereby required to be performed by him.

The Officer in *Suffolk* County, may retain 1*s*. 6*d*. *per* Pound, as a Reward for his Services.

XLI. And whereas the Business of the Treasury requires a constant Attendance in the City of *New-York*, for the Dispatch of Masters of Vessels, as well as of Merchants and other Persons; **Be it Enacted** *by the Authority aforesaid*, That when ever the Treasurer should happen to be indisposed, or out of Town; it shall and may be lawful for him, from Time to Time, to constitute a fit Deputy under him; who thereupon shall have the same Powers to transact the Affairs of the Treasury, as are hereby given to the Treasurer himself. *Always Provided*, That he shall be answerable and accountable for all and every Act done by Virtue of such Deputation, in the same Manner as if such Act was done by himself.

The Treasurer being indisposed, or absent, may appoint a Deputy, but shall be answerable for his Acts.

XLII. **Be it Enacted** *by the same Authority*, That all the Money to arise by Virtue of this Act, shall remain in the Treasury, until the same shall be applied for and towards the Support of this Government, by Act or Acts of the General Assembly, to be passed for that Purpose, in this present Session, or in any other Session or Sessions thereafter; and if any Part of the said Money shall be issued in any other Manner, it shall be deemed a Misapplication, and the said Treasurer shall be accountable and answerable for the same; any Warrant, Mandate or Order notwithstanding.

The Money arising by Virtue of this Act, to remain in the Treasury, till applied to support of Government, by Acts of Assembly.

XLIII. **And be it Enacted** *by the Authority aforesaid*, That of all and every Sum and Sums of Money, which the said Treasurer shall receive and pay by Virtue of this Act, he shall keep exact and distinct Books, and render true Accounts thereof upon Oath, to the Lieutenant-Governor, or Commander in Chief for the Time being, to the Council, or to the General Assembly; when by them, or any of them thereunto required.

The Treasurer to render an Account on Oath, of the Money received by Virtue of this Act.

14th *GEORGE* II. A. D. 1740.

Expired 1ſt of *November*, 1742.

CHAP. DCCIV.

An ACT *to ſupport the Garriſon at* Oſwego, *and to regulate the Furr Trade in the County of* Albany.

Paſs'd the 3d of November, 1740.

Expired 25th *December*, 1743.

CHAP. DCCV.

An ACT *for the better Relief of the Poor in* Dutcheſs *County.*

Paſs'd the 3d of November, 1740.

Expired 1ſt of *September*, 1741.

CHAP. DCCVI.

An ACT *to apply the Monies granted for the Support of this Government, in Payment of the ſeveral Salaries, and other Allowances, until the firſt Day of* September, *One Thouſand Seven Hundred and Forty-one.*

Paſs'd the 3d of November, 1740.

15th *GEORGE* II. A. D. 1741.

Obſolete.

CHAP. DCCVII.

An ACT *for the better fortifying of this Colony, and other the Purpoſes therein mentioned.*

Paſs'd the 12th of June, 1741.

Expired 1ſt of *December*, 1741.

CHAP. DCCVIII.

An ACT *for the more equal keeping Military Watches in the City of* New-York, *and for other the Purpoſes therein mentioned.*

Paſs'd the 12th of June, 1741.

The Sixteenth ASSEMBLY.

THIRD SESSIONS.

CHAP. DCCIX.

See Chap. 703. Continued by Chap. 729.

An ACT *to continue an Act, entitled,* An *Act* for and towards ſupporting the Government of this Colony, by granting to his Majeſty the Duties therein mentioned, from the firſt Day of *December*, One Thouſand Seven Hundred and Forty, to the firſt Day of *December*, One Thouſand Seven Hundred and Forty-one.

Paſs'd the 7th of November, 1741.

Expired 1ſt of *November*, 1742.

CHAP. DCCX.

An ACT *to let to farm the Exciſe on Strong Liquors retailed in this Colony for one Year, ending the firſt Day of* November, *One Thouſand Seven Hundred and Forty-two.*

Paſs'd the 7th of November, 1741.

Expired 1ſt of *December*, 1744.

CHAP. DCCXI.

An ACT *for the more equal and orderly keeping a ſufficient Night Watch in the City of* New-York, *and to enable the Corporation of the ſaid City, to raiſe the Sum of* Five Hundred and Seventy-four Pounds, Twelve Shillings, *to defray the Charge thereof; and for other the Purpoſes therein mentioned.*

Paſs'd the 7th of November, 1741.

CHAP

15th GEORGE II. A. D. 1741.

CHAP. DCCXII.

An Act for mending and keeping in Repair, the Post-Road from New-York, *to* Kings-Bridge.

Pass'd 7th of November, 1741.

Preamble.

WHEREAS the High-Way or Post Road, through *Manhattens* or *York* Island, leading from the City of *New-York* to *Kings-Bridge*, ought to be kept in good Repair; but as the Act of the General Assembly of this Colony, now in force for that Purpose, is found very inconvenient, and doth not answer the good Ends thereby intended:

Acts repealed.

I. **Be it Enacted** *by the Lieutenant Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same,* That all the Acts heretofore passed for keeping in Repair the Post Road from *New-York* to *Kings-Bridge*, shall be, and hereby are repealed, and made null and void; and instead thereof, **Be it Enacted** *by the Authority aforesaid,* That so much only of the said General-Highway or Road, as to the present Dwelling-House of *Joachim Anderson*, shall be repaired and amended, by the Inhabitants of all the several Wards within the said City (except the Out Ward;) and that all that Part only of the said High-Way and Road, from the said House of *Joachim Anderson*, to the Limits of *Harlem* Patent, shall be repaired, and amended, and from Time to Time kept in good Repair, by the Inhabitants of the Bowry Division of the Out Ward of the said City; and all the remaining Part of the said High-Way and Road of the said Island, from the Southerly Limits of *Harlem* Patent to *Kings-Bridge*, shall from Time to Time be cleared, repaired and amended, by the Inhabitants of *Harlem* Division, as hath been formerly done; and that the said Post Road and High-Way shall be laid out the Breadth of *four* Rod, and cleared the Breadth of *two* Rod at least.

How far the City of *New-York* shall repair the Post-Road.

How far *Harlem* shall repair said Road.

The Quarter Sessions to appoint Surveyors of said Road, to *King's-Bridge*.

II. AND for the better Clearing, Maintaining and Repairing all and every the said common High-Way, and all the Causeways and Bridges on the same; **Be it further Enacted** *by the Authority aforesaid,* That the Justices of the Peace, of the said City and County, at and in their General Quarter Sessions, to be held for the said City and County, in the Month of *February* next, and so in every Month of *February* thereafter, shall nominate and appoint three sufficient and able Persons; one whereof to be an Inhabitant of the said City, on the South Side of *Fresh-Water*; one other to be an Inhabitant of the *Bowry* Division of the Out Ward of the said City; and the other to be an Inhabitant of *Harlem* Division, of the said Out-Ward; to be the Surveyors of the said High-Way, Bridges and Causeways, for the Year from thence next ensuing; and that the said Justices shall cause Notice to be given of the same in Writing, to the Surveyors so to be appointed; and in Case of Death or Refusal, any two or more of the said Justices of the Peace for the said City and County (whereof one to be of the *Quorum*) under their Hands and Seals, shall and may, from Time to Time, appoint others in their Places; which said Surveyors, and every of them, having no lawful Impediment, to be allowed by the said Justices, by whom they shall be appointed in Manner as aforesaid, or any two of them (whereof one to be of the *Quorum*) within three Weeks next after such Notice to him or them given, shall, and they are hereby directed and required, to view and survey the said High-Way, Bridges and Causeways, and consider the Defects thereof, and to use the best Method and Means for the clearing, widening, levelling, repairing and making good the same; and the said Surveyors, or any two of them, are hereby directed, impowered and authorized (at any Time after such Survey, as aforesaid, and so from Time to Time as often as they shall see Occasion) to summons and give Notice to

The Surveyors to appoint the Inhabitants to meet and repair said Road.

15th *GEORGE* II. A. D. 1741.

to ſuch and ſo many of the Inhabitants of the ſaid Diviſions, as they the ſaid Surveyors ſhall think proper and neceſſary, to meet and convene at ſuch Times, Places and Seaſons, and for ſo long Time as the ſaid Surveyors ſhall appoint, with Carts and Carriages, Shovels, Spades, Pick-Axes, Mattocks, and other Tools and Inſtruments, as by the ſaid Surveyors, reſpectively, ſhall be thought needful, for the amending, clearing, widening, repairing, and making good the ſaid High-Road, Bridges and Cauſeways, within the ſeveral Diſtricts and Limits herein before ſet forth; and all and every ſuch Perſon and Perſons ſummoned, or having Notice as aforeſaid, ſhall, either by himſelf or a ſufficient able Man, meet within their ſeveral Limits aforeſaid, at the Time and Place to be ſo appointed, and to obey and perform ſuch Orders and Directions, as the ſaid Surveyors for the reſpective Diviſions ſhall, for the Purpoſes aforeſaid, order and direct: And in caſe any Perſon ſo ſummoned, ſhall not by himſelf, or by another ſufficient Perſon in his Place, appear and obey ſuch Directions as aforeſaid; every ſuch Defaulter ſhall forfeit *Six Shillings*, current Money of this Colony, for each Day's Abſence or Diſobedience; to be levied by Warrant from any one Juſtice of the Peace for the City and County aforeſaid; who is hereby authorized and required to grant ſuch Warrant, directed to one of the Conſtables of ſuch Ward or Diviſion, where ſuch Default ſhall happen, by Diſtreſs and Sale of the Offender's Goods and Chattels, at a publick Out-cry, and after Payment of the ſaid *Six Shillings*, and Charges, the Overplus (if any) to be returned to the Owner; and every Team, with Cart or Waggon, and a Man to manage the ſame, which the ſaid Surveyors ſhall have Occaſion to uſe, ſhall be deemed and eſteemed, in the Place of three Day's Labour of one Workman; and that every Perſon keeping ſuch Team and Carriage, and being duly ſummoned to appear therewith, and making Default, ſhall forfeit for every ſuch Default, the Sum of *Eighteen Shillings*, like Money; to be levied in Manner aforeſaid: All which Forfeitures ſhall be paid to the reſpective Surveyors for the Time being, and to be by them laid out and diſpoſed of, in repairing the High-Way of the Diſtrict in which the Perſon making Default ſhall dwell or reſide.

Forfeiture for not appearing according to Summons.

Forfeiture for not appearing with Cart and Waggon.

The Application of the Forfeitures,

III. **And be it further Enacted** *by the Authority aforeſaid*, That the ſeveral Surveyors who ſhall be appointed in Manner as aforeſaid, ſhall ſummons and employ the reſpective Inhabitants, within the ſeveral Wards and Diviſions aforeſaid, in repairing and making good the ſeveral High-Ways, Roads, Bridges and Cauſeways, juſtly and equally, every Year, and in their reſpective Turns; for which Purpoſe, the ſaid Surveyors are hereby directed and required to keep true and exact Liſts of the Names and Times, of all Perſons appearing and Working on the ſaid Highway; and, that as often as new Surveyors ſhall be appointed, in Manner as aforeſaid, the Surveyors of the preceeding Year, ſhall deliver all ſuch Liſts, to the ſaid new Surveyors: *Provided nevertheleſs*, That no Perſon be compellable to Work on the ſaid Highways at any Time in Seed-time, Hay, or Wheat-Harveſt.

The Surveyors ſhall ſummon and employ the Inhabitants on the Highways as often as there is Occaſion; except in Seed-Time, Hay or Wheat-Harveſt.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That every Surveyor, that ſhall be appointed in Manner as aforeſaid, refuſing or neglecting to do, and perform any of the Duties and Services, required of him, and them in and by this Act, ſhall forfeit, and pay the Sum of *Five Pounds*, current Money aforeſaid; to be recovered by Action of Debt, Bill, Plaint, or Information, in any Court of Record, within the City and County aforeſaid; one Half of which Forfeiture ſhall be to the Informer, who ſhall ſue for and proſecute the ſame to Effect, and the other Half to be employed by the Direction of any two of the Juſtices of the Peace aforeſaid, (whereof one to be of the *Quorum*) in repairing and making good ſuch Part of the Highways as is within the Limits that ſuch Surveyor ſhall be appointed for.

Penalty on the Surveyors for not doing their Duty.

V. And

15th GEORGE II. A. D. 1741.

V. **And be it further Enacted** *by the ſame Authority*, That in caſe any Difference or Diſpute ſhall ariſe, between any of the Inhabitants of the reſpective Wards or Diviſions aforeſaid, or between any of them and the ſaid Surveyors, of or concerning the repairing or amending the Highway aforeſaid; the ſame ſhall be ſettled and determined, by any two of the Juſtices of the Peace, aforeſaid, (whereof one to be of the *Quorum*) or by the Juſtices at their General Quarter Seſſions; whoſe Order and Determination thereon, made in Writing, under their Hands, ſhall be concluſive to all Parties.

In Caſe of Difference, how to be decided.

VI. AND foraſmuch, as ſome Doubts and Scruples have ariſen, about the Courſe of the Road from Spring-Garden Gate, at the End of the Broadway, towards Freſh-Water; for removing of which, **Be it Enacted** *by the Authority aforeſaid*, That the ſaid Road, ſhall for ever hereafter, be on a ſtrait Line or Courſe, from Spring-Garden aforeſaid, through the new Road lately cut through the Hill, by the Houſe of Captain *John Brown*, where the Windmill formerly ſtood, until it meets with the old Road.

How the Road ſhall go from Spring-Garden.

CHAP. DCCXIII.

See Ch. 651. Expired 1ſt of *December*, 1750. Provided for by Chap. 881.

An ACT *to revive an Act, entitled*, An *Act* to reſtrain Tavern-keepers and Innholders, from ſelling Strong Liquors to Servants and Apprentices, and from giving large Credit to others.

Paſs'd the 7th of November, 1741.

CHAP. DCCXIV.

See Ch. 604.

An ACT *to continue an Act, entitled*, An *Act* to prevent ſmall Stallions running at large in the Colony of *New-York*, and to geld ſuch as ſhall be under the Size therein mentioned.

Paſs'd the 7th of November, 1741.

Preamble.

WHEREAS an Act of Aſſembly entitled, *An Act to prevent ſmall Stallions running at large, in the Colony of* New-York, *and to geld all ſuch as ſhall be under the Size therein mentioned*, paſſed in the eighth Year of his preſent Majeſty's Reign, will expire by its own Limitation, on the firſt Day of *December* next; and the ſaid Act, having been found to contribute very much to amend the Breed of Horſes;

Chap. 604, made perpetual.

I. **Be it therefore Enacted** *by his Honour the Lieutenant Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the above mentioned Act, entitled, *An Act to prevent ſmall Stallions running at large, in the Colony of* New-York, *and to geld ſuch as ſhall be under the Size, therein mentioned*, and every Article, Clauſe, and Matter therein contained, ſhall, from the firſt Day of *December* next, be, remain and continue in full Force, to all Intents, Conſtructions, and Purpoſes whatſoever.

CHAP. DCCXV.

Obſolete.

An ACT *to enable the Juſtices of the Peace in the County of* Richmond, *to finiſh and compleat their Court-Houſe.*

Paſs'd the 7th of November, 1741.

CHAP. DCCXVI.

See Ch. 694. Continued by Chap. 730.

An ACT *to continue an Act, entitled*, An *Act* to regulate the Militia of this Colony; *with a further Addition thereto.*

Paſs'd the 27th of November, 1741.

CHAP.

15th *GEORGE* II. A. D. 1741.

CHAP. DCCXVII.

Expired 1st of *September*, 1742. And Obsolete.

An ACT *to apply the Monies granted for Support of this Government, for Payment of the Salaries, Services and Contingencies therein mentioned, until the first Day of* September, *One Thousand Seven Hundred and Forty-two, and for transporting Recruits to the* West-Indies.

Pass'd the 27th of November, 1741.

CHAP. DCCXVIII.

Revived Ch. 791.

An ACT *to oblige all Persons that shall come to inhabit or reside in the City of* New-York, *in order to expose any Goods, Wares or Merchandizes to Sale, at any Time after the annual Assessment made for the Tax for the Maintenance of the Minister and Poor of the said City, to pay their due Proportion toward the same.*

Pass'd the 27th of November, 1741.

Preamble.

‡ Chap. 36.

† Chap. 134.

WHEREAS by two Acts of the General Assembly of this Colony; the one entitled, ‡ *An* Act *for settling a Ministry, and raising a Maintenance for them, in the City of* New-York, *County of* Richmond, Westchester, *and* Queens *County*; and the other, entitled, † *An* Act *for the better Establishment of the Maintenance for the Minister of the City of* New-York; it is, among other Things enacted to the Purpose following; *That is to say*, That on the second Tuesday in *January*, in every Year, the Freeholders and Freemen of the said City, shall chuse ten Vestry-Men; who, within two Months thereafter, are required to lay an equal Tax on the Inhabitants of the said City, for the Maintenance of the Minister and Poor thereof: And whereas many Persons having considerable personal Estates frequently come to reside in the said City, after the said Tax is laid, and the Assessments made and compleated, who contribute Nothing towards the Maintenance of the Minister and Poor of the said City: For the remedying whereof, the General Assembly humbly pray, that it may be Enacted; and

How the Vestry-Men shall tax Persons coming into their respective Wards.

I. **Be it Enacted** *by his Honour the Lieutenant-Governor, the Council, and General Assembly, and it is hereby Enacted by the Authority of the same*, That the Vestry-Men of the City of *New-York*, for the Time being, shall, and they are hereby required, once in every Month, after the aforesaid Tax for the Maintenance of the Minister and Poor of the said City, is laid, and the Assessment made and compleated, until the Month of *December* then next following; to make diligent Enquiry in their respective Wards for which they shall be chose Vestry-Men, for all Persons who shall come to inhabit or reside in their said Wards, in order to expose any Goods, Wares or Merchandizes to Sale, that have not been taxed or assessed in the said Assessments; and shall demand of such Person or Persons so coming to inhabit or reside therein, a just and true Account, upon the Oath or Affirmation of such Person or Persons, of the whole Amount or Value of all the Goods, Wares and Merchandize, which such Person or Persons shall bring into the said Ward; and that thereupon the said Vestry-Man or Vestry-Men, of such Ward, shall rate and tax such Person or Persons so coming into such Ward, in the same Manner and Proportion as the other Inhabitants were rated and taxed; *that is to say*, The same Sum for every *Five Pounds* of the whole Amount of the Goods, Wares and Merchandize so by him, her or them, brought into the said Ward, as the other Inhabitants are by the Assessment before made, to pay for every *Five Pounds* their Estates shall be rated at; and that thereupon, such Vestry-Man or Vestry-Men, shall deliver in writing, under his or their Hands, to the Constable of their respective Wards, who shall be appointed and impowered to collect the Tax for the Maintenance of the Minister and Poor, the Name and Sirname of such Person

The Vestry-Men to deliver the Names of the Persons so coming into the Wards, to the Constable, and the Constable to collect the Tax.

or Persons so coming into their Wards, with the whole Amount of the Goods, Wares and Merchandizes so by them brought into such Ward, and sworn or affirmed to, as aforesaid, and the Sum such Person or Persons is rated or taxed at; which Sum or Sums of Money, such Constable is hereby authorised and directed forthwith to collect, and pay the same into the Hands of the Church-Wardens of the said City, for the Time being; to be by them applied towards the Maintenance of the Minister and Poor of the same City, in the same Manner as by the before recited Acts they are to collect and pay the Tax for the Minister and Poor, as aforesaid. *Always Provided*, That none of the Persons before mentioned, shall be liable to pay towards the Tax aforesaid, any more or oftner than once, within the Space of one Year; any Thing herein before to the Contrary thereof notwithstanding.

Persons not liable to pay Taxes, oftner than once a Year.

II. **And be it further Enacted** *by the Authority aforesaid*, That every Person and Persons, who shall come to inhabit or reside in any or either of the Wards of the said City, in order to expose any Goods, Wares or Merchandizes to Sale, as aforesaid, after the Tax for the Maintenance of the Minister and Poor of the said City, is laid, and Assessment made, as aforesaid, and shall refuse, neglect or delay to deliver to the Vestry-Man or Vestry-Men of such Ward, when thereunto by him or them required, a just and true Account, upon his or her Oath or Affirmation, of the whole Amount or Value of all the Goods, Wares and Merchandize so by him or her brought into the said Ward; shall forfeit and pay to the Church-Wardens of the said City, for the Use of the Poor thereof, the Sum of *Five Pounds*, current Money of this Colony; and if not paid within six Days after Demand made, to be recovered by Action of Debt, Bill, Plaint or Information, in any Court of Record within the same Colony, wherein no Essoin, Protection, Wager of Law, or more than one Imparlance shall be allowed.

Any Person, refusing to deliver an Account of the Value of the Merchandize so brought in, shall forfeit 5 *l.*

How to be recovered.

III. **And be it further Enacted** *by the same Authority*, That every Person who shall hereafter be chosen a Vestry-Man for the said City, and shall neglect, or refuse, to do what is required of them by this Act, shall forfeit and pay the Sum of *Five Pounds*, current Money of this Colony; to be recovered, paid, and applied as aforesaid. This Act to remain in force from the Publication thereof, until the Twenty-fifth of *March*, which will be in the Year One Thousand Seven Hundred and Forty Five.

Penalty on Vestry-men for not doing their Duty.

Continuance of this Act.

CHAP. DCCXIX.

An ACT *for mending and keeping in repair the publick Wells and Pumps in the City of* New-York.

Continued by Chap. 772.

Pass'd the 27th of November, 1741.

WHEREAS the Inhabitants of the City of *New-York*, have, at a very great Charge and Expence, supplied themselves with Fire-Engines, Leather-Buckets, Poles, Hooks, Ropes, Ladders, and other necessary Tools and Instruments, for the extinguishing of Fires; but that notwithstanding such Provision, and all Diligence used by the good Inhabitants of the said City (who are remarkably serviceable on all Accidents of Fires) unless proper Care be taken, that the publick Wells and Pumps in the said City, be put, and constantly kept in good Repair; so that a sufficient Supply of Water may be had, in Case of such Accidents, lest many of the good Inhabitants may be utterly ruined and impoverished:

Preamble.

15th *GEORGE* II. A. D. 1741.

The Alderman and Aſſiſtant of each Ward, to view the Wells and Pumps, and appoint Overſeers of the ſame.

I. **Be it therefore Enacted** *by his Honour the Lieutenant-Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That it ſhall and may be lawful, for the Alderman and Aſſiſtant of each reſpective Ward of the ſaid City, for the Time being, on the South Side of *Freſh-Water*; and the ſaid Alderman and Aſſiſtant of each reſpective Ward in the ſaid City, on the South Side of *Freſh-Water*, are hereby required and directed, within *fourteen* Days after the Publication of this Act, and ſo on the firſt Tueſday of *September* in every Year, during the Continuance of this Act, to viſit and view the ſeveral publick Wells and Pumps in their ſeveral and reſpective Wards, and to appoint ſuch Perſon as they ſhall think moſt fitting (being an Inhabitant in the Neighbourhood of each reſpective Well or Pump) to be Overſeer thereof; of which Appointment, within *three* Days thereafter, the ſaid Alderman and Aſſiſtant of each reſpective Ward, as aforeſaid, ſhall give Notice in writing, to each of the ſeveral Perſons ſo by them appointed Overſeers of the ſaid Wells and Pumps; and that at the ſame Time, each reſpective Alderman and Aſſiſtant, as aforeſaid, ſhall direct, limit and appoint, to which and how many Houſes, each of the ſaid publick Wells and Pumps ſhall belong: And if any publick Well or Pump, ſhall ſtand in any Street where two or more Wards join, the Alderman and Aſſiſtant of each of the ſaid Wards ſo joining, or the major Part of them, ſhall ſettle, direct, limit and appoint, to which and how many Houſes in each of ſuch Wards, ſuch Well or Pump ſhall belong, and ſhall appoint ſuch Overſeer as aforeſaid.

To whom they ſhall give Notice. And limit the Houſes, to which the Pumps and Wells ſhall belong.

How in Caſe a Well or Pump ſtands, where two or more Wards join.

II. **And be it further Enacted** *by the Authority aforeſaid,* That each and every of the Perſons ſo appointed Overſeers, as aforeſaid, ſhall, within *eight* Days after his Appointment, cauſe ſuch Well or Pump, of which he is Overſeer, to be put into good Order and Repair; and ſo to keep and maintain them from Time to Time, ſo long as they ſhall continue Overſeers, as aforeſaid; and ſhall from Time to Time, cauſe new Pumps to be put into ſuch Wells, as the ſaid Alderman and Aſſiſtant of the Ward or Wards aforeſaid, ſhall judge neceſſary.

The Overſeers to cauſe each Well and Pump to be put in good Order.

III. **And be it further Enacted** *by the Authority aforeſaid,* That on the ſaid firſt Tueſday of *September*, in every Year, each of the ſaid Perſons ſo appointed Overſeer of each reſpective Well or Pump, as aforeſaid, ſhall deliver to the Alderman of the Ward or Wards in which ſuch Well or Pump is, a juſt and true Account upon Oath, of all the Money ſo by him laid out and expended for the Repairs of ſuch Well or Pump, or putting in, and keeping in Repair, any new Pump; and that within *eight* Days thereafter, each and every of the ſaid Aldermen, as aforeſaid, ſhall deliver ſuch Account, ſo brought in and ſworn to, as aforeſaid, to the Overſeers for the Time being, of the reſpective Wells; who ſhall thereupon, within *eight* Days next after, aſſeſs the Eſtates real and perſonal, of all and every the Freeholders, Inhabitants and Reſidents of the ſeveral and reſpective Houſes to which each of the ſaid Wells and Pumps ſhall by the Alderman and Aſſiſtant, or Aldermen and Aſſiſtants, as aforeſaid, be limited and appointed to belong, to the full Amount, in the Whole, of each reſpective Account of each Well and Pump, as aforeſaid, in their ſeveral and reſpective Wards, together with the Sum of *One Shilling* in the Pound, for each of the Overſeers of the ſaid Wells; which ſeveral and reſpective Aſſeſſments ſhall, within the Time herein before limited, be delivered by the ſaid Overſeers of the reſpective Wells, to the Alderman of each reſpective Ward; or if between two Wards, to the Aldermen of ſuch two Wards; and that the Alderman of each reſpective Ward, or Aldermen of the two Wards, as the Caſe may happen, ſhall, within *eight* Days after the Delivery to them reſpectively, of the ſaid Aſſeſſments, ſign the ſame, and re-deliver them to the reſpective Overſeers of the reſpective Wells, in the reſpective Wards; who are hereby authoriſed, directed and required, forthwith to collect the ſame.

Overſeers, to give Account on Oath to the Alderman, what Money they have laid out in repairing ſaid Pumps.

The Inhabitants, &c. to be aſſeſſed to repay the Overſeers.

IV. An

IV. **And be it further Enacted** *by the ſame Authority*, That if any Perſon or Perſons, ſhall refuſe, neglect or delay, to pay to the reſpective Overſeers, the ſeveral and reſpective Sums, at which he, ſhe or they, ſhall be rated and aſſeſſed at; that then, it ſhall and may be lawful for the ſaid Overſeers, to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon or Perſons, who ſhall neglect, refuſe or delay, to pay the ſame immediately, reſtoring to the Owners the Overplus (if any be.)

In Caſe of refuſing to pay ſaid Aſſeſſment, their Goods to be diſtrained.

V. **And be it Enacted** *by the Authority aforeſaid*, That the Aldermen of each reſpective Ward, for the Time being, ſhall have Power and Authority by Virtue of this Act; and are required, to adminiſter an Oath to the Overſeers of their reſpective Wells, well, truly, equally and impartially, and in due Proportion, according to the beſt of their Underſtanding, to aſſeſs and rate all and every the Freeholders, Inhabitants and Reſidents of the reſpective Houſes appointed for each reſpective Well, for which they are appointed Overſeers.

An Oath to be adminiſtred to ſaid Overſeers.

VI. **And be it further Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons, who ſhall be appointed by the Alderman and Aſſiſtant, or Aldermen and Aſſiſtants, as aforeſaid, Overſeers of a Well or Pump, as aforeſaid, ſhall deny, neglect or refuſe, to do what is required of them reſpectively by this Act; ſhall, for ſuch Offence, forfeit and pay the Sum of *Five Pounds*, current Money of this Colony; to be recovered by Action of Debt, Bill, Plaint, or Information, in any Court of Record within this Colony (wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed) by any Perſon who ſhall ſue and proſecute for the ſame; one Half of which Forfeiture ſhall be paid to the Treaſurer of the ſaid City, and applied towards repairing ſuch publick Wells and Pumps, as the Mayor, Recorder, Aldermen and Aſſiſtants of the ſaid City, convened in Common Council, or ſo many of them as make a Common Council, ſhall direct and appoint; and the other Half to the Perſon who ſhall ſue and proſecute for the ſame to Effect.

Penalty on Overſeers that neglect or deny to do what is required by this Act.

To be applied to the Reparation of Wells and Pumps.

VII. And foraſmuch as diſorderly Perſons have frequently been guilty of cutting the Well-Ropes, and breaking the Handles of Pumps, and doing other Miſchiefs to the ſame; for preventing of which for the Future; **Be it Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons, ſhall wilfully or maliciouſly, cut any of the publick Well-Ropes, or do any other Hurt or Damage to any of the ſaid Wells or Pumps, and ſhall thereof be convicted before the Mayor or Recorder, or before any two of his Majeſty's Juſtices of the Peace of the ſaid City; ſhall be liable to the Fine of *Forty Shillings*, for ſuch Offence; to be recovered by Warrant under the Hands and Seals of ſuch reſpective Magiſtrates before whom he, ſhe or they, were ſo convicted; one Half thereof to the Uſe of the Perſon or Perſons that ſhall proſecute the Defaulter to Effect, and the other Half to the Uſe of ſuch Wells or Pumps as ſhall ſo be damaged; and upon Refuſal of Payment, he, ſhe or they, ſhall be committed to Goal; there to remain for the Space of *one* Month, or till the Fine is paid.

Penalty on ſuch as ſhall damage the Wells or Pumps in this City.

VIII. **And be it further Enacted**, That this Act ſhall continue in Force for *three* Years, from and after the Publication thereof, and no longer.

Continuance of this Act.

15th *GEORGE* II. A. D. 1741.

Made perpetual by Chap. 836.

CHAP. DCCXX.

An ACT *for returning of able and ſufficient Jurors, and for the better Regulation of Juries.*

Paſs'd the 27th of November, 1741.

Preamble.

FOR the Returning more able and ſufficient Jurors, for Trials at Law, hereafter to be had, and for Reformation of Abuſes in Sheriffs, and other Miniſters; who, for Reward, may be tempted to ſpare the moſt able and ſufficient, and return the poorer and ſimpler Freeholders, and others leſs able to diſcern the Cauſes in Queſtion, and to bear the Charges of Appearance and Attendance thereon;

How Jury-men ſhall be qualified in the Counties.

I. **Be it Enacted** *by his Honour the Lieutenant Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That all Jurors (other than Strangers upon Trials, *per medietatem Linguæ*) who are to be returned upon Trials of Iſſues joined in his Majeſty's Supreme Court of this Colony, or in the Court for Trial of Cauſes brought to Iſſue in the Supreme Court, or in the Courts of * Mayors and Aldermen, or in any other Inferior Courts of Common Pleas, within the ſame; or before any Juſtices of Aſſize, or *Niſi Prius*, *Oyer and Terminer*, Goal-Delivery, or General or Quarter Seſſions of the Peace, in any City or County within the ſaid Colony, from and after the Twenty-fifth Day of *March*, which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-two; ſhall, every of them (being above the Age of *Twenty-one*, and under the Age of *Seventy* Years) then have in their own Name or Right, or in Truſt for them, or in their Wives Right, within the ſame City or County, a Freehold in Lands, Meſſuages, or Tenements, or of Rents in Fee, Fee-Tail, or for Life, of the Value of *Sixty Pounds*, free of all Reprizes or Incumbrances whatſoever; and within the City and County of *New-York*, a Freehold of the Value aforeſaid, or a perſonal Eſtate of the like Value, free of all Debts, Dues or Demands: All which Perſons having ſuch Eſtate as aforeſaid, are hereby enabled and made liable to be returned, and to ſerve as Jurors for the Trials of Iſſues before the Judges, Juſtices and Courts aforeſaid; any Law to the Contrary notwithſtanding. And if any Perſon of a leſſer Eſtate and Value, as aforeſaid, ſhall be reſpectively returned upon any ſuch Jury, or Tales in Default of ſuch Jurors; it ſhall be a good Cauſe of Challenge, and the Party returned, ſhall be diſcharged upon the ſaid Challenge, or his own Allegation and Oath thereof. And that the above mentioned Method of returning of Jurors, may hereafter be duly obſerved, the Writ of *Venire Facias Juratores*, which ſhall at any Time from and after the ſaid Twenty-fifth Day of *March*, be awarded and directed for the impannelling of Juries, in Caſes as aforeſaid, within any County in the Colony aforeſaid, ſhall have mentioned in the Body thereof, the Words following, *That is to ſay*,

And in the City of *New-York*.

Words to be inſerted in the *Venires* to the Counties.

[*Twelve free and lawful Men of the County, of which each of them ſhall have in his own Name or Right, or in Truſt for them, or in their Wives Right, a Freehold in Lands, Meſſuages or Tenements, or of Rents in Fee, Fee-Tail, or for Life, of the Value of* Sixty Pounds, *free of all Reprizes, Demands or Incumbrances whatſoever.*]

In the City and County of *New-York*.

And in the City and County of *New-York*, the Words following, *that is to ſay*,

[*Twelve free and lawful Men of the City and County of* New-York, *of which each of them ſhall have in his own Name or Right, or in Truſt for them, or in their Wives Right, a Freehold in Lands, Meſſuages or Tenements, or of Rents in Fee, Fee-Tail, or for Life, or a perſonal Eſtate of the Value of* Sixty Pounds, *free of all Reprizes, Debts, Demands or Incumbrances whatſoever.*]

An

* *Inhabitants of the City of* Albany, *having perſonal Eſtates of the Value of £.* 60, *qualified for Jurors in the Mayor's Court there, by Chap.* 836, § 2.

And the Preamble and Reſidue of the ſaid reſpective Writs, ſhall be in the uſual Form; and that upon every ſuch Writ and Writs of *Venire Facias Juratores*, the Sheriff, Coroner, or other returning Officer or Officers, in each reſpective City, Borough, Town Corporate, or County, within the ſaid Colony, unto whom the making the Pannel of Jurors ſhall appertain; ſhall not return any Perſon in any ſuch Pannel, unleſs he ſhall be ſo qualified as aforeſaid.

II. AND that the Summons of Perſons ſo qualified for the Service aforeſaid, according to the Intention of this Act, may be attended with greater Certainty; **Be it further Enacted**, That every Summons of any Perſon ſo qualified, to ſay the Services aforeſaid, ſhall be made by the Sheriff, his Officers or lawful Deputy, *ſix* Days at the leaſt, before the Time of the Service required for any Jury.

Time of ſummoning Jury-Men.

III. AND to the End, the reſpective Sheriffs may be the better enabled to ſummon Jurors qualified according to the Intent and Direction of this Act; **Be it Enacted**, That the ſeveral County and Town Clerks, ſhall, upon Application to them made by the reſpective Sheriffs, deliver to them a Copy of the laſt Aſſeſſment in ſuch Place or Places, or to permit them to tranſcribe a Copy thereof; and where ſuch Clerks have no compleat Aſſeſſments, the ſeveral Aſſeſſors ſhall, upon ſuch Application of the Sheriffs, either give them a Copy of their laſt Aſſeſſment, or permit him or them to take a Copy thereof.

The County and Town Clerks to deliver a Copy of the laſt Aſſeſſment to the Sheriff.

IV. AND for preventing of Abuſes by Sheriffs, Under-Sheriffs or Deputies, Bailiffs, or other Officers concerned in the ſummoning or returning of Jurors; **Be it Enacted** *by the Authority aforeſaid*, That no Perſon or Perſons, ſhall be returned as Jurors, to ſerve on Trials, at any of the Courts before mentioned, who have ſerved therein within the Space of *one* Year before (the ſeveral Mayors Courts excepted) and if any Sheriff, Under-Sheriff or Deputy, ſhall wilfully tranſgreſs therein, the Judge or Judges, Juſtice or Juſtices of the Court, to which ſuch Return ſhall be made, may, and are hereby required, on Examination and Proof of ſuch Offence, in a ſummary Way, to ſet a Fine or Fines upon every ſuch Offender, not exceeding the Sum of *Forty Shillings*, for any one Offence.

Perſons not to ſerve on Juries above once in a Year.

V. **And be it further Enacted**, That no Sheriff, Under-Sheriff, Bailiff, or other Officer, to whom the Return of Juries ſhall at any Time belong; ſhall directly or indirectly, take or receive, any Money or other Reward, to excuſe any Perſon for ſerving, or being ſummoned to ſerve on any Jury, or under that Colour or Pretence; and if any Sheriff, Under-Sheriff, Deputy, Bailiff, or other Officer, ſhall wilfully tranſgreſs herein; any Judge, Juſtice, or Juſtices, of any of the Courts aforeſaid, may, and hereby are required and directed, on Examination and Proof of ſuch Offence, in a ſummary Way, to ſet a Fine or Fines, upon any Perſon or Perſons ſo offending, as he or they ſhall think meet, not exceeding *Five Pounds*, according to the Nature of the Offence.

Penalty on Officers for taking Money to excuſe Perſons from ſerving on Juries.

VI. **And be it further Enacted**, That from and after the ſaid Twenty-fifth Day of *March*, every Sheriff, or other Officer, to whom the Return of the Writ of *Venire facias Juratores*, for Trial of Cauſes in his Majeſty's Supreme Court of this Colony, or any other of the Courts before mentioned; ſhall upon his Return of every ſuch Writ, (unleſs in Caſes where a ſpecial Jury ſhall be ſtruck, by Order or Rule of Court,) annex a Pannel to the ſaid Writ, containing the Names, Additions, and Places of Abode, of a competent Number of Jurors duly qualified, as aforeſaid, to ſerve on Juries; the Names of the ſame Perſons, to be incerted in the Pannel annexed, to every *Venire facias Juratores*, for the Trial of all Iſſues, at any of the Courts herein before mentioned, in each reſpective City and County, Borough, or Town corporate; which Number of Jurors,

Places of Abode of Jurors to be inſerted in the Pannel, and their Number not to be leſs than 48, or above 72.

15th *GEORGE* II. A. D. 1741.

Jurors, ſhall not be leſs than *Forty-eight*, nor more than *Seventy-two*, without the Direction of the Judge or Judges, of ſuch Court or Courts, or of the Judge or Judges, appointed to go the Circuit, and ſit as Judge or Judges of Aſſize, or *Niſi prius*, or of the Courts of Oyer and Terminer, and General Goal Delivery, in ſuch County or Place, where ſuch Cauſe or Cauſes are to be tried; who are reſpectively hereby impowered and required, if he or they ſee Cauſe, by Order, under his or their reſpective Hand or Hands, to direct a greater or leſſer Number; and then ſuch Number as ſhall be ſo directed, ſhall be the Number to ſerve on ſuch Jury.

Notice to be given to the Judge of the Time of Trial of any Cauſe.

VII. AND in order that ſuch Judge or Judges, may be the better enabled to direct (according to the Intent of this Act) what Number of Jurors are neceſſary to be ſummoned; the Party or Parties, in any Cauſe or Cauſes, which may be at Iſſue in any of the Courts aforeſaid, or his Attorney or Attornies, ſhall, at the ſame Time they give Notice of Trial to the Party or Attorney on the other Side, give the like Notice in Writing, to the Judge or Judges, before whom ſuch Suit or Action is triable.

The Names and Sirnames of the Jurors returned, ſhall be annexed to the Writs, without further Fee than uſual.

AND the Writs of *Habeas Corpora Juratorum*, or *Diſtringas*, ſubſequent to ſuch Writ of *Venire facias Juratores*, need not have incerted in the Bodies of ſuch reſpective Writs, the Names of all the Perſons contained in ſuch Pannel; but it ſhall be ſufficient to incert in the mandatory Parts of ſuch Writs reſpectively, [*The Bodies of the ſeveral Perſons, named in the Pannel to this Writ annexed*] or Words of the like Import, and to annex to ſuch Writs reſpectively, Pannels, containing the ſame Names, as were returned in the Pannels to ſuch *Venire facias Juratores*, with their Additions, and Places of Abode; that the Parties concerned in any ſuch Trials, may have timely Notice of the Jurors who are to ſerve, in order to make their Challenges to them, if there be Cauſe; and that for the making the Returns and Pannels aforeſaid, and annexing the ſame, to the ſaid reſpective Writs, no other Fee or Fees ſhall be taken, than what are now allowed by Law, to be taken for the Return of the like Writs, and Pannels annexed to the ſame: And every Sheriff or other Officer, to whom the Return of the *Venire facias Juratores*, ſhall at any Time hereafter belong, ſhall,

The Sheriff to deliver Copies of the Pannel, if requeſted.

upon Application made to him for that Purpoſe, at any Time within *five* Days, next before the Day on which the Return of the Jury is by ſuch Writ directed to be made, deliver, or cauſe to be delivered, to any of the Party or Parties, in any Cauſe to be tried by ſuch Jurors, or any Attorney on their Behalf, a true Copy of ſuch Pannel of Jurors, certified under his, or their Hands to have been ſummoned, whoſe Names ſhall be ſo incerted in the Pannel, to be annexed to ſuch Writ, with their reſpective Additions, and Places of Abode; ſuch Perſon or Perſons, ſo applying for the ſame, paying therefor unto ſuch Sheriff, or other returning Officer giving the ſame, the Sum of *Two Shillings*, in order that the Parties concerned in any ſuch Trials, to be had by ſuch Juries, may have timely Notice, and Information of the Jurors, who are to be returned to ſerve in ſuch Cauſes to be tried, and may the better be enabled to make their Challenges to them, if they ſhall find Cauſe.

How the Jurors ſummoned, ſhall be choſen.

VIII. AND whereas many evil Practices, have been uſed in the corrupting of Jurors, returned for the Trials of Iſſues joined, to be tried before the Judges and Juſtices of the Courts aforeſaid; and many Perſons, lawfully ſummoned to ſerve on Juries, have neglected to appear, to the great Injury of many Perſons, in their Properties and Eſtates: In order to prevent the like Practices and Neglects, **Be it Enacted**, That the Name of each and every Perſon, who ſhall be ſummoned and impannelled, as aforeſaid, with his Addition and Place of Abode, ſhall be written in ſeveral and diſtinct Pieces of Paper or Parchment, being all as near as may be of equal Size and Bigneſs, and ſhall be delivered unto the Clerk of the Supreme Court, or other Courts aforeſaid, and to the Clerk of

the

of the Aſſize, at the reſpective Circuit Courts, by the Sheriff, Under-Sheriff, or Deputy-Sheriff, in each reſpective City, County, Borough, or Town corporate, or ſome Agent or Agents, of him or them reſpectively; and ſhall, by Direction and Care, of ſuch reſpective Clerk or Clerks, be rolled up all as near as may be, in one and the ſame Manner, and put together in a Box, to be by each reſpective Sheriff, provided for that Purpoſe; and when any Cauſe ſhall be brought on to be tried, ſome indifferent Perſon, by Direction of the Court, may and ſhall, in open Court, draw out *Twelve* of the ſaid Papers and Parchments, one after another; and if any of the Perſons, whoſe Names ſhall be ſo drawn, ſhall not appear, or be challenged and ſet aſide, then ſuch further Number thereof ſhall be drawn, as ſhall make up the Number *Twelve*, who do appear, after all Cauſes of Challenge allowed, as fair and indifferent; and the ſaid *Twelve* Perſons, ſo firſt drawn and appearing, and approved as indifferent, their Names being marked in the Pannel and they ſworn, ſhall be the Jury to try ſuch Cauſe; and the Names of the Perſons ſo drawn and ſworn, ſhall be kept apart by themſelves in ſome other Box, to be kept and provided, as aforeſaid, for that Purpoſe, 'till ſuch Jury ſhall have given in their Verdict, and the ſame is recorded, or until ſuch Jury ſhall, by Conſent of the Parties, or Leave of the Court, be diſcharged; and then the ſaid Names ſhall be roll'd up again, and returned to the former Box, there to be kept with the other Names remaining at that Time undrawn; and ſo as often as any Cauſe remains then to be tried. *Provided always*, That if any Cauſe ſhall be brought on to be tried in any of the ſaid Courts reſpectively, before the Jury in any other Cauſe, ſhall have brought in their Verdict, or be diſcharged; it ſhall and may be lawful for the Court, to order *Twelve* of the Reſidue of the ſaid Papers or Parchments, to be drawn in ſuch Manner as aforeſaid, for the Trial of the Cauſe which ſhall ſo be brought on to be tried.

VIII. **And be it further Enacted**, That every Perſon or Perſons, whoſe Name or Names ſhall be ſo drawn as aforeſaid, and who ſhall not appear after being openly called *three* Times, upon Oath made by ſome credible Perſon, that ſuch Perſon ſo making Default, had been lawfully ſummoned; ſhall forfeit, and pay, for every ſuch Default (unleſs ſome reaſonable Cauſe of his Abſence be proved by Oath, Affidavit, or Affirmation, to the Satisfaction of the Judge or Judges, who ſit to try the Cauſe) ſuch Fine or Fines, not exceeding the Sum of *Three Pounds*, and not leſs than *Thirteen Shillings and Four Pence*, as the ſaid Judge or Judges ſhall think reaſonable to inflict or aſſeſs. *Provided always*, That where a View ſhall be allowed in any Cauſe; in ſuch Caſe, ſix of the Jurors named in ſuch Pannel, or more, who ſhall be mutually conſented to by the Parties, or their Agents, on both Sides; or if they cannot agree, ſhall be drawn in Manner as aforeſaid, before a Judge of the Court wherein the Cauſe is depending; or if Need be, before the Judge or Judges before whom the Cauſe ſhall be brought on to Trial; ſhall have the View, and ſhall be firſt ſworn, or ſuch of them as appear upon the ſaid Jury, to try the ſaid Cauſe, before any drawing, as firſt before mentioned; and ſo many only ſhall be drawn, to be added to the Viewers who appear, as ſhall, after all Defaulters and Challenges allowed, make up the Number *Twelve*, to be ſworn for the Trial of ſuch Cauſe.

Penalty on Jurors for not appearing.

How Jurors ſhall be appointed to make a View.

IX. **And be it further Enacted**, That it ſhall and may be lawful, for his Majeſty's Supreme Court of this Colony, upon Motion made on Behalf of his Majeſty, his Heirs or Succeſſors, or on the Motion of any Proſecutor or Defendant, in any Indictment or Information, in the Nature of *Quo Warranto*, depending, or to be brought or proſecuted there; or on the Motion of any Plaintiff or Plaintiffs, Defendant or Defendants, in any Action, Cauſe or Suit whatſoever, depending, or to be brought and carried on in the ſaid Court; and the ſaid Court

How Jurors ſhall be ſtruck for Trials on Indictment or Information.

15th *GEORGE* II. A. D. 1741.

Court is hereby authoriſed and required, upon Motion, as aforeſaid, in any of the Caſes before mentioned, to order and appoint a Jury, to be ſtruck, before one of the Judges of the ſaid Court, for Trial of any Iſſue joined in any of the ſaid Caſes, and triable by a Jury of *Twelve* Men, in ſuch Manner as ſpecial Juries have by Law heretofore been ſtruck, for Trials at Bar; which Jury, ſo ſtruck, as aforeſaid, ſhall be the Jury returned for the Trial of the ſaid Iſſue.

The Party applying for a ſtruck Jury, ſhall pay for the ſtriking thereof.

X. **And be it further Enacted**, That the Perſon or Party who ſhall apply for ſuch Special Jury to be ſtruck, as aforeſaid, ſhall bear and pay the Fees for ſtriking thereof, and ſhall not have any Allowance for the ſame upon Taxation of Coſts.

The Juſtices of the SupremeCourt impowered to determine all Cauſes brought to iſſue in the ſame Court.

XI. **And be it further Enacted**, That it ſhall and may be lawful, at all Times hereafter, for any Judge or Juſtice, Judges or Juſtices, of his Majeſty's Supreme Court of this Colony, and they are hereby authoriſed, fully impowered, and required, to hear, try and determine, all, and all Manner of Cauſes whatſoever, ariſing within any of the Counties, Cities, Boroughs, and Towns Corporate within this Colony, which ſhall at any Time be preſented and brought to Iſſue within the ſame Court, at the ſeveral and reſpective Circuit Courts, which ſhall from Time to Time, hereafter be for that Purpoſe appointed; and that without any Special Commiſſion or Commiſſions from his Majeſty, his Heirs or Succeſſors, to be granted under the Broad Seal of this Colony, for that Purpoſe, or any further, or other Commiſſion or Commiſſions, to be at any Time iſſued on that Behalf.

What Jury ſhall ſerve on Trials of Capital Offences.

XII. **And be it further Enacted**, That the Sheriffs, or other Officers to whom the Return of Juries ſhall or may at any Time belong, for any County, City, Borough, Town Corporate, or Place reſpectively, within this Colony, ſhall not impannel, or return any Perſon or Perſons, to ſerve on any Jury for the Trial of any capital Offence, who, at the Time of ſuch Return, would not be qualified by Virtue of this Act, to ſerve as Jurors in civil Cauſes, for that Purpoſe; and the ſame Matter and Cauſe alledged by Way of Challenge, and ſo found, ſhall be admitted and taken as a principal Challenge; and the Perſon and Perſons ſo challenged, ſhall and may be examined upon Oath, of the Truth of the ſaid Matter.

This Act to be read once a Year, at the Seſſions for every County, &c.

Continuance of this Act.

XIII. **And be it Enacted**, That this Act ſhall be openly read, once in every Year, at the General Seſſions of the Peace, for every County, City, Borough, or Town Corporate, or Place where ſuch Seſſions ſhall at any Time be held within this Colony, next after the Twenty-fifth Day of *March* aforeſaid. This Act to continue and remain of Force, from the ſaid Twenty-fifth Day of *March*, until the Twenty-fifth Day of *March*, which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-ſeven.

C H A P. DCCXXI.

Repealed and Provided for by Chap. 907.

An ACT *to reviſe, digeſt, and print the Laws of this Colony, from the happy Revolution.*

Paſs'd the 27th of November, 1741.

C H A P. DCCXXII.

Expired 25th *December*, 1745, And provided for by Chap. 907.

An ACT *to reſtrain diſorderly and unlawful Gaming-Houſes, in the Colony of* New-York.

Paſs'd the 27th of November, 1741.

C H A P

15th *GEORGE* II. A. D. 1741.

CHAP. DCCXXIII.

An ACT *to prevent the Killing of Deer out of Season.*

Pass'd the 27th of November, 1741.

Expired 1st of *December*, 1750. Provided for by Chap. 892.

CHAP. DCCXXIV.

An ACT *to encourage the destroying of Wild Cats in the County of* Suffolk.

Pass'd the 27th of November, 1741.

Continued by Chap. 800.

I. BE it Enacted *by his Honour the Lieutenant Governor, the Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the first Day of *December* next, whatever Person or Persons, Freeman or Slave, shall take, kill and destroy, any Wild-Cat or Wild-Cats, their Catling or Catlings, in the County of *Suffolk*, shall have and receive, as a Reward, for each Wild-Cat so taken, killed and destroyed, the Sum of *Six Shillings*; and for every such Catling under a Year old, so taken, killed and destroyed, the Sum of *Three Shillings*.

The Reward for killing a Wild-cat, 6*s.* a Kitten, 3*s.*

II. AND to the End, the Reward above mentioned may be truly paid and discharged; Be it Enacted *by the Authority aforesaid*, That the Person or Persons taking, killing and destroying any Wild-Cat or Wild-Cats, their Catling or Catlings, in the County aforesaid, and carrying the Head or Heads thereof, with the entire Skin thereon, to any one Justice of the Peace of the said County (who upon View thereof, and Examination of the Party and Circumstances, finding the same to have been taken, killed and destroyed in the County aforesaid) is hereby obliged thereupon, to give a Certificate thereof, *gratis*, and to mention therein, the Name or Names, of the Person or Persons, that had so taken, killed and destroyed, such Wild-Cat or Wild-Cats, Catling or Catlings; the Time when; and to distinguish which are full grown, and which are under the Age of one Year: After which, the Ears of such Wild-Cat or Wild-Cats, Catling or Catlings, so certified, are to be cut off in the Presence of the said Justice; and such Certificate being produced to the Supervisors of the said County, the said Supervisors shall, and hereby are obliged, at their annual Meetings, to order the Treasurer of the said County, to pay unto the Party or Parties so producing such Certificate, or to his or their Assigns, the Reward allowed and established by this Act; and the said Reward shall be deemed a County Charge, and raised, levied, assessed and collected, together with the other necessary and contingent Charges of the County aforesaid. This Act to continue, remain and be of Force, from the said first Day of *December*, until the first Day of *December*, which will be in the Year One Thousand Seven Hundred and Forty-five.

The Method to be taken for the Recovery of the Reward.

Continuance of this Act.

CHAP. DCCXXV.

An ACT *to alter the High-way or publick Road, from the West to the East Part of* David Corey's *Land, running along the Clift or Bank thereof.*

Pass'd the 27th of November, 1741.

WHEREAS *David Corey*, of *Southold*, in *Suffolk* County, in the Colony of *New-York*, by his humble Petition preferred to the General Assembly, setting forth the great Inconveniencies he lieth under, in respect of the Highway or publick Road, from the West to the East Part of his Land, running along the Clift or Bank, about a Mile on the North Side thereof; the said Highway or publick Road, being much worn away by Travellers and great Rains: For Remedy whereof;

Preamble.

15th *GEORGE* II. A. D. 1741.

The Road from the Weſt, to the Eaſt Part of *David Corey*'s Land alter'd.
The ſaid *David Corey* impowered to hang two ſwinging Gates, and to keep them and the Road in Repair.

I. **Be it therefore Enacted** *by his Honour the Lieutenant Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the ſaid Highway or publick Road, ſhall be, and hereby is altered; and that it ſhall and may be lawful, for the ſaid *David Corey*, his Heirs and Aſſigns, from the Fifteenth Day of *April*, to the Fifteenth Day of *October*, in every Year hereafter, to place and hang two good eaſy ſufficient ſwinging Gates, the one between the ſaid *David Corey*'s now Dwelling-Houſe, and the Eaſt Part of his ſaid Land; the other between his Wind-Mill (now being by the ſaid Highway or publick Road) and *Benjamin Bailey*'s Land, adjoining to the ſaid *David Corey*'s ſaid Land, ſo as the publick Road hereafter, ſhall and may run thro' the ſaid *David Corey*'s improved and incloſed Land, he the ſaid *David Corey*, his Heirs and Aſſigns, within the Times aforeſaid, keeping the ſaid ſwinging Gates and Road, through his ſaid improved and incloſed Land, in good and ſufficient Repair, at his and their own proper Coſt and Charge; any Law, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

The Penalty for blocking-up, &c. ſwinging Gates. How to be recovered and applied.

The ſaid *Corey* to have no Benefit by this Act, unleſs he keep the ſaid Gates and Roads in Repair.

II. **And be it Enacted** *by the Authority aforeſaid,* That in Caſe any Perſon or Perſons, ſhall either ſtake or ſhore open, or ſtake or block up, both or either of the aforeſaid Gates, within the ſaid Times; ſuch Perſon or Perſons, ſhall forfeit for every ſuch Offence, the Sum of *Ten Shillings*, to be recovered by the Commiſſioners of the Highways of *Southold* aforeſaid, and applied towards repairing publick Highways or Roads, and pay all Damages, with the Coſts, the Party aggrieved ſhall ſuffer or ſuſtain thereby, as any of his Majeſty's Juſtices of the Peace of the County aforeſaid, ſhall determine; whoſe Determination ſhall be a final Judgment. *Provided always,* That in Caſe the ſaid *David Corey*, his Heirs and Aſſigns, within the Times aforeſaid, ſhall not keep the ſaid ſwinging Gates and Roads, through his improved and incloſed Land, in good and ſufficient Repair, at his and their own proper Coſts and Charges; then and in ſuch Caſe, he and they ſhall have no Benefit and Advantage of this Act; any Thing contained therein to the contrary notwithſtanding.

CHAP. DCCXXVI.

An ACT *for returning Neat Cattle and Sheep to their Owners.*

Paſs'd the 27th of November, 1741.

Preamble.

WHEREAS Neat Cattle and Sheep, often ſtray from their Owners; who, not knowing where to find them, ſeldom ſee or recover them:

Perſons having any ſtray Cattle or Sheep, upon their incloſed Land, to give a Note of the ſame to the Town Clerk.

Their Reward for ſuch Notification.

I. **Be it therefore Enacted** *by his Honour the Lieutenant Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after the firſt Day of *December* next, any Perſon or Perſons whatſoever, who, at any Time hereafter, between the firſt Day of *December*, and the firſt Day of *April*, in any Year enſuing, ſhall have any ſuch ſtrayed Neat Cattle or Sheep, upon his, her or their incloſed Land, ſhall, within Twenty Days after the coming of any ſuch ſtrayed Neat Cattle or Sheep, into his, her or their incloſed Land, deliver unto the Clerk of the reſpective City, Town, Manor, or Precinct, where ſuch Neat Cattle or Sheep ſhall happen to be, a Note in writing, containing their ſeveral Ages, Colours and Marks, natural and artificial, as near as may be, together with his, her or their Name and Place of Abode; and for ſo doing, ſuch Perſon or Perſons, ſhall have for their Trouble, the Sum of *Nine Pence per* Head, for all Neat Cattle, and the Sum of *Two Pence per* Head, for every Sheep ſo notified; on Receipt of which Notes, the ſaid Clerk ſhall make full Entry thereof at large, in a Book to be

provided

provided by him for that Purpoſe, at the Coſt and Charge of the City, Town, Manor or Precinct, whereof he is Clerk; for which Entry ſo made, he ſhall be paid the Sum of *Six Pence per* Head, for all the Neat Cattle, and the Sum of *Two Pence*, for each Sheep, ſo entred as aforeſaid; which ſeveral Sums, for the Notice given, and Entry, as aforeſaid made, ſhall be paid by the reſpective Owner or Owners, of ſuch Cattle or Sheep, together with reaſonable Charges for the keeping of them; upon Payment of which ſaid Sums to the Clerk, for the Entry ſo made, he ſhall give unto the Owner or Owners, of ſuch Cattle or Sheep, a Receipt for the ſame; and unleſs ſuch Receipt be produced to the Poſſeſſor of ſuch Neat Cattle or Sheep, he ſhall and may detain them until ſuch Receipt be produced, unleſs the ſaid Owner or Owners, will leave the Money due to the Clerk for his Entry, as aforeſaid, with the Poſſeſſor of ſuch Neat Cattle or Sheep; in which Caſe, the Poſſeſſor ſhall be accountable to the ſaid Clerk; and in all Caſes where the Poſſeſſor of ſuch Neat Cattle or Sheep, ſo notified and entred, as aforeſaid, ſhall let the Owner or Owners have them without ſuch Receipt, he ſhall be accountable to the Clerk for the Money due to him for the ſaid Entry: And in Caſe no Owner or Owners ſhall appear in the Space of *ſix* Months after ſuch Entry made; then the Poſſeſſor of ſuch Neat Cattle or Sheep, ſhall pay for ſuch Entry, and ſhall and may detain the ſaid Neat Cattle and Sheep, until the Owner or Owners of them ſhall be found; which Owner or Owners, when appearing, ſhall repay unto the Poſſeſſor, the ſaid Sums of Money ſo laid out, together with the Sums hereby allowed for the Notice given, and all other reaſonable Charges for the keeping ſuch Neat Cattle and Sheep.

The Clerk's Fees for entring it, and both to be paid by the Owners, together with the Charges for keeping them.

The Clerk to give a Receipt to the Owner, which he is to produce to the Poſſeſſor of the Cattle or Sheep, or the latter may detain them.

No Owner appearing in ſix Months, the Poſſeſſor ſhall pay the Clerk, and detain the Sheep, &c.

II. **And be it further Enacted** *by the Authority aforeſaid*, That if no Owner or Owners appear to claim the ſaid Neat Cattle or Sheep, within the Space of *one* Year after the firſt Notice given to the Clerk; then the Poſſeſſor of them is hereby required, to ſell them at Vendue, to the higheſt Bidder, firſt giving at leaſt *fourteen* Days Notice, by Advertiſements to be fixed at the moſt publick Places within the City, Town, Manor or Precinct, where the ſaid Neat Cattle and Sheep have been kept, of the Time and Place of Sale, and to retain the Money ariſing from ſuch Sale, in his, her or their Hands, until the Owner or Owners, of ſuch Neat Cattle or Sheep, ſhall appear; unto whom ſhall then be paid, the remaining Part of the Money by the Poſſeſſor, after deducting the aforeſaid Allowances, and reaſonable Charges, for the keeping and Sale of ſuch Neat Cattle or Sheep, as aforeſaid. *Provided always*, That ſuch Owner or Owners, as do not appear and demand the ſame, with *one* Year after ſuch Sale, ſhall be, and hereby are precluded and debarred for ever after, from recovering of the Poſſeſſor, all or any Part of the Money ariſing by ſuch Sale; but the Remainder, after the aforeſaid Deduction, ſhall be paid into the Hands of the Church-Wardens or Overſeers of the Poor, in the City, Town, Manor or Precinct, where the ſaid Neat Cattle or Sheep are found; and ſhall, by the ſaid Church-Wardens or Overſeers of the Poor, be applied to the Poor of the ſame City, Town, Manor or Precinct; and the Receipt of the ſaid Church-Wardens or Overſeers, to the Poſſeſſors aforeſaid, ſhall be, and hereby is declared, to be a legal Diſcharge to the Poſſeſſor or Poſſeſſors aforeſaid; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

If no Owner appear in one Year, ſuch Cattle and Sheep to be ſold at publick Vendue, by the Poſſeſſor, giving 14 Days Notice by Advertiſement.

Charges deducted, Surplus to be paid to the Owner, when he appears; but not appearing within one Year after Sale, for ever debarred, and then Surplus to be paid to the Overſeers of the Poor, or Church-Wardens.

III. And that the good Intent of this Act may not be evaded; **Be it Enacted** *by the Authority aforeſaid*, That if the Poſſeſſor or Poſſeſſors, of the remaining Money of ſuch Neat Cattle or Sheep, as aforeſaid, ſhall not, within *one* Month after the Time limited above, pay the ſame to the Church-Wardens or Overſeers of the Poor, or to thoſe who uſually have the Care of the Poor, in the City, Town, Manor or Precinct, where ſuch Neat Cattle or Sheep ſhall happen to be taken up, and ſold in Manner aforeſaid; every ſuch Defaulter, ſhall forfeit

15th *GEORGE* II. A. D. 1741.

double the Sum ſo remaining in his, her, or their Hands, for the Uſe above mentioned; to be recovered over and above the ſaid remaining Money, with Coſt of Suit, by the ſaid Church-Wardens or Overſeers of the Poor, or thoſe who uſually have the Care of them, in the City, Town, Manor or Precinct, where ſuch Default ſhall happen, by Action of Debt, Bill, Plaint or Information, in any Court within the County where the Cauſe of Action ſhall ariſe, or in any Court of Record in the Colony; and the ſaid Church-Wardens, Overſeers of the Poor, and thoſe who uſually have the Care of them, are hereby reſpectively veſted with full Power and Authority to ſue for and recover the ſame; any Law, Uſage, or Cuſtom to the contrary thereof notwithſtanding.

The Penalty on the Poſſeſſors, not paying it to the Church-Wardens, or Overſeers of the Poor.

How to be recovered.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That any Perſon or Perſons whatſoever, who ſhall, between the firſt Day of *December*, and the firſt Day of *April*, in each and every Year hereafter, knowingly have any ſuch Neat Cattle or Sheep, as aforeſaid, in his, her or their incloſed Land, or in his, her or their Poſſeſſion, and do not acquaint the Owner or Owners therewith, or give the Notice preſcribed by this Act, within *Twenty* Days thereafter; ſuch Perſon or Perſons ſo offending, ſhall not only loſe any Demand he, ſhe or they, might otherwiſe have for the keeping and feeding ſuch Neat Cattle or Sheep, as aforeſaid; but ſhall alſo forfeit to the Owner or Owners thereof, the Sum of *Twenty Shillings*, for every willful Neglect; to be recovered before any Juſtice of the Peace within the County where ſuch Neglect may happen, with full Coſt of Suit.

Penalty for not giving the Notice preſcribed by this Act.

V. **And be it further Enacted** *by the Authority aforeſaid*, That the Books, as aforeſaid, to be provided and kept by the reſpective Clerks of each City, Town, Manor or Precinct, ſhall always by them be kept free and open for any Perſon or Perſons, who at any Time ſhall have Occaſion to ſearch therein, for any ſuch Neat Cattle or Sheep, as aforeſaid; for which Search, no Fee ſhall be taken by ſuch Clerk, on the Penalty of *Five Shillings* for each Offence; to be recovered by the Party aggrieved, in Manner aforeſaid, with Coſt of Suit.

All Perſons may have Recourſe to the Books where ſuch Cattle ſhall be entred *gratis*.

VI. And that this Act may be duly put in Execution throughout this Colony; **Be it Enacted** *by the Authority aforeſaid*, That in ſuch Towns, Manors and Precincts, where it has not been uſual to chuſe a Town-Clerk, it ſhall be lawful, to and for the Freeholders and Inhabitants of ſuch Town, Manor or Precinct, at the annual Time of chuſing other Civil Officers, to chuſe and elect a Clerk of ſuch Town, Manor and Precinct, as aforeſaid; and the Clerk and Clerks ſo choſen, ſhall have full Power to put this Act in Execution.

Any Town or Manor not having a Town Clerk, may chuſe one.

VII. **And be it Provided and Enacted** *by the Authority aforeſaid*, That Nothing herein contained, ſhall impair, leſſen or abridge the Right of his Majeſty, his Heirs and Succeſſors, or any of the Immunities, Privileges and Rights, of the ſeveral Cities, Manors and Corporations in this Colony, which they and every of them, are intitled to, by Grants, or Letters Patents under the Seal of the ſaid Colony; but that all the ſaid Immunities, Privileges and Rights, ſhall be ſaved to every one of the ſaid Cities, Manors and Corporations reſpectively, as fully and effectually, to all Intents, Conſtructions and Purpoſes whatever, as if this Act had not paſſed.

This Act not to abridge his Majeſty's Right, or the Privileges, &c. of any City, Manor or Corporation.

CHAP. DCCXXVII.

15th *GEORGE* II. A. D. 1742.

An ACT *to apply the Sum of* Six Hundred and Seventeen Pounds Thirteen Shillings and four Pence Half-penny, *for repairing* Fort-George; *for tranſporting Volunteers to the* Weſt-Indies, *and for other the Purpoſes therein mentioned.*

Obſolete.

Paſs'd the 22d of May, 1742.

CHAP.

CHAP. DCCXXVIII.

15th *GEORGE* II. A. D. 1742.

An ACT *for regulating the Payment of his Majesty's Quit-Rents, and for Partition of Land, in order thereto.*

Pass'd the 22d of May, 1742.

Repealed by the Lords Justices, 23d *May*, 1745.

CHAP. DCCXXIX.

16th *GEORGE* II. A. D. 1742.

An ACT *further to continue an Act, for and towards supporting the Government of this Colony, by granting to his Majesty the Duties therein mentioned, from the first Day of* December, *One Thousand Seven Hundred and Forty, to the first Day of* December, *One Thousand Seven Hundred and Forty-one.*

Pass'd the 23d of October, 1742.

See Chap. 709. Continued by Chap. 741.

CHAP. DCCXXX.

An ACT *further to continue, as well an Act, entitled,* An *Act* to regulate the Militia of this Colony, as the other Acts therein mentioned, by which the same has been continued.

Pass'd the 23d of October, 1742.

See Chap. 716. Expired 1st of *December*, 1743, but provided for by Chap. 747.

CHAP. DCCXXXI.

An ACT *to let to farm the Excise of Strong Liquors retailed in this Colony for one Year, which will end the first Day of* November, *One Thousand Seven Hundred and Forty-three.*

Pass'd the 29th of October, 1742.

Expired 1st of *November*, 1743.

CHAP. DCCXXXII.

An ACT *for the more effectual fortifying the City of* Albany.

Pass'd the 29th of October, 1742.

Expired 1st of *December*, 1742.

CHAP. DCCXXXIII.

An ACT *for paying out of the Monies appropriated for the Support of this Government, the Salaries, Services and Contingencies therein mentioned, until the first Day of* September, *One Thousand Seven Hundred and Forty-three.*

Pass'd the 29th of October, 1742.

Expired 1st of *September*, 1743.

CHAP. DCCXXXIV.

An ACT *for supporting the Garrison of* Oswego, *and to regulate the Furr Trade in the County of* Albany.

Pass'd the 29th of October, 1742.

Expired 1st of *November*, 1744.

CHAP. DCCXXXV.

An ACT *for the clearing, regulating, and further laying-out publick High Roads in the City and County of* Albany.

Pass'd the 29th of October, 1742.

See Chap. 629, *ante*, and Ch. 757, *post*. Expired 31st of *December*, 1750. And repealed and provided for, by Chap. 885.

CHAP.

16th *GEORGE* II.
A. D. 1742.

CHAP. DCCXXXVI.

An ACT *for the deſtroying of Wolves and Panthers in the Counties of* Ulſter, Dutcheſs *and* Orange.

Paſs'd 29th of October, 1742.

The Reward for killing Wolves, &c. in Orange, *was alter'd by Chap.* 755, *but that expired* 1ſt October, 1745; *at which Time this Act was to be void, ſo far as related to* Orange; *but this Act is continued by Chap.* 875.

Preamble.

WHEREAS the former Reward allowed for deſtroying of Wolves and Panthers, in the Counties of *Ulſter*, *Dutcheſs* and *Orange*, hath by Experience, not been found ſufficient to anſwer the good Ends and Purpoſes thereby intended;

The Reward for deſtroying Wolves and Panthers in *Ulſter*, *Dutcheſs*, and *Orange*.

I. **Be it therefore Enacted** *by his Honour the Lieutenant Governor, the Council and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That from and after the Publication of this Act, and during the Continuance thereof, every Perſon being an Inhabitant of each of the aforeſaid Counties, who ſhall actually take, kill or deſtroy, any Wolf or Wolves, Whelp or Whelps, Panther or Panthers, within the Counties aforeſaid, ſhall be intitled to, and receive the Reward following; *that is to ſay*, For every grown Wolf or Panther, the Sum of *Twenty Shillings*; and for every Whelp or Whelps, the Sum of *Ten Shillings*; to be paid by the County Treaſurers reſpectively, as ſhall be directed by this Act.

The Method to be taken, to become intitled to the Reward.

II. AND that Frauds may not be committed, and the Freeholders and Inhabitants of the aforeſaid Counties, may not be impoſed upon by Perſons living out of the ſaid Counties; **Be it therefore Enacted** *by the Authority aforeſaid*, That before any Inhabitant of ſaid Counties, ſhall be intitled to any of the Rewards allowed by this Act, he ſhall carry the Head or Heads, of ſuch Wolf or Wolves, Whelp or Whelps, Panther or Panthers, with the intire Skin thereon, to any Juſtice of the Peace, or any of the Superviſors dwelling in the ſaid Counties; and the ſaid Juſtice, or Superviſors of the reſpective Counties, ſhall be, and are hereby impowered, directed and required, to adminiſter to every ſuch Inhabitant, an Oath (and if a Quaker, an Affirmation) in the Words following;

The Oath to be taken by the Perſon claiming the Reward.

YOU A. B. *do ſwear (or affirm) That the Wolf (or Panther) the Head whereof you now produce to me, was actually taken and killed within the County of And that you are an Inhabitant of the ſaid County of*

AND the ſaid Juſtice or Superviſor ſhall, in adminiſtring the ſaid Oath or Affirmation, in the Blank left, add the Name of the County, wherein ſuch Inhabitant is ſworn or affirmed; after the taking of ſuch Oath or Affirmation the ſaid Juſtice or Superviſor ſhall, and hereby is impowered and required, to give a Certificate thereof, to ſuch Perſon or Perſons as have ſo ſworn or affirmed as aforeſaid; and ſuch Juſtice or Superviſor, dwelling and reſiding in the Counties of *Dutcheſs* and *Orange*, for adminiſtring ſuch Oath, and giving a Certificate from under his Hand, ſhall have for his Reward, the Sum of *One Shilling and Six-pence*, to be paid by ſuch Perſon or Perſons requiring the ſame.

The Juſtice's Fee for adminiſtring the Oath, and giving Certificate.

The Contents of the Certificate, &c.

And the ſaid Juſtice or Superviſor, in giving ſuch Certificate, ſhall therein mention the Name or Names of ſuch Perſon or Perſons as have ſo ſworn or affirmed, that they had actually taken and killed ſuch Wolf or Wolves, Whelp or Whelps, Panther or Panthers, within the County aforeſaid; and to diſtinguiſh whether the ſame were a full-grown Wolf, Whelp, or Panther; and the Ears on the ſaid Wolves, Whelps, or Panthers, ſo certified, are to be cut off in the Preſence of the ſaid Juſtice, or Superviſor: And ſuch Certificate, being produced to the Superviſors of the ſaid County, the ſaid Superviſors ſhall allow ſuch Perſon or Perſons, as ſhall produce ſuch Certificate, as aforeſaid, a ſuch Sum or Sums of Money as are allowed by this Act, for deſtroying of Wolves, Whelps, or Panthers: And the ſaid Reward ſhall be a County

The Superviſors to pay the Perſon producing the Certificate, the Reward allowed. How the Reward is to be raiſed.

Charge

Charge; and ſhall be raiſed, aſſeſſed, and levied, together with the other neceſſary and contingent Charges of the ſaid County.

Supervisors to order the Money to become due by this Act, to be paid to the County Treaſurer, and he to pay as directed by the Supervisors

III. **Be it Enacted** *by the Authority aforeſaid*, That the Supervisors of the ſaid County, ſhall, and are hereby impowered, required, and directed, to order the aforeſaid Sum or Sums of Money, by this Act to become due, to be paid to the County-Treaſurer; and the ſaid Treaſurer ſhall pay the ſame, as ſhall be ordered and directed by the ſaid Supervisors, to ſuch Perſon or Perſons, or their Aſſigns, as have ſo killed or deſtroyed ſuch Wolf or Wolves, Whelp or Whelps, Panther or Panthers.

Wolves, &c. killed by Slaves, the Maſters intitled to the Reward.

IV. **Be it further Enacted** *by the Authority aforeſaid*, That every Native free Indian, or Negro, or other Slave, who ſhall have actually killed or deſtroyed any Wolf or Wolves, Whelp or Whelps, Panther or Panthers, within any of the Counties aforeſaid; and carry the Head or Heads thereof, with the intire Skin thereon, to any of the Juſtices or Supervisors of the ſaid County, wherein ſuch Wolves, Whelps, or Panthers, are killed or deſtroyed; and bring ſuch Evidence, or give ſuch Reaſons as to the Satisfaction of the ſaid Juſtice or Supervisor, that ſuch Wolf or Wolves, Whelp or Whelps, Panther or Panthers, are killed within the ſaid County, where ſuch Juſtices or Supervisors were appointed, or choſen; in ſuch Caſe, the ſaid Juſtice or Supervisor are hereby impowered, required, and directed, to give a Certificate to the Maſter or Miſtreſs of ſuch Slave or Slaves, or to any ſuch Native or free Indian, in the ſame Form and Manner as is herein before directed, by this Act, to be given to the Inhabitants of the ſaid Counties; and ſuch Maſter, Miſtreſs, Native or free Indian, ſhall be intitled to, and receive the ſame Reward, as is given by this Act, to the Inhabitants of the ſaid Counties. This Act to be and continue in Force, from the Publication thereof, for the full Term of ſix Years, and no longer.

Limitation of this Act.

CHAP. DCCXXXVII.

See Chap. 692. Revived by Chap. 883.

An ACT *to revive an Act, entitled,* An *Act* to prevent the penning and folding of Sheep and Neat Cattle feeding on *Hampſtead-Plains*.

Paſs'd the 29th of October, 1742.

CHAP DCCXXXVIII.

An ACT *to enable the Mayor, Recorder and Aldermen of the City of* Albany, *and the Juſtices of the Peace of the ſaid City and County, to raiſe a further Sum of* Four Hundred Pounds, *to finiſh and compleat the Court-Houſe and Goal for the ſaid City and County*.

Obſolete.

Paſs'd the 30th of April, 1743.

CHAP: DCCXXXIX.

Expired 13th *June*, 1744.

An ACT *to apply the Sum of* Four Hundred Pounds, *for providing and furniſhing the Garriſon in* New-York, *with Fire-wood and Candles, to the Thirteenth of* June, *One Thouſand Seven Hundred and Forty-four*.

Paſs'd the 30th of April, 1743.

CHAP.

16th *GEORGE* II.
A. D. 1743.

CHAP. DCCXL.

An ACT *for explaining and rendering more effectual, an Act of the Governor, Council, and the General Aſſembly, entitled,* An *Act* to oblige the Inhabitants of each particular Ward within the City of *New-York,* to make good their reſpective Quotas of all publick Taxes.

Paſs'd the 30th of April, 1743.

‡ Chap. 305.

WHEREAS by one Act of the Governor, Council and the General Aſſembly, entitled, ‡ *An* Act *to oblige the Inhabitants of each particular Ward within the City of* New-York, *to make good their reſpective Quotas of all publick Taxes,* paſſed in the firſt Year of his late Majeſty's Reign, it is, amongſt other Things, enacted, That if thereafter, any Collector or Conſtable, of any Ward within the ſaid City, ſhould prove inſolvent of the publick Taxes by him collected and received, or withdraw himſelf with the publick Money, ſo that it could not otherwiſe be had and received; the Inhabitants of ſuch Ward, as have choſen ſuch Collector or Conſtable ſo offending, ſhould make good the Loſs and Damage in that Behalf, by a freſh Levy upon themſelves, and not upon the Inhabitants of the whole City, as has been formerly; any Uſage or Practice to the contrary in any wiſe notwithſtanding: But as no particular and expreſs Powers and Directions, are given in the ſaid Act, for putting in Execution, the juſt and good Purpoſes intended by it; by Means whereof, Doubts and Diſputes have ariſen, and the good Ends defeated, which were thereby intended, to the great Hurt of the Publick, and ill Example to Collectors and Conſtables; as it may on the other Hand, induce the good People to be more cautious in chuſing ſuch Officers for the future;

Collectors or Conſtables converting the Taxes to his or their own Uſe, the Juſtices or Veſtry, &c. are authoriſed to add to the ſucceeding Tax, the former Deficiency of the Ward; which is to be collected therewith; to be paid as the original Tax; for which the ſame Reward is to be allowed as for the former Tax.

I. **Be it therefore Enacted** *by his Honour the Lieutenant-Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That in all Caſes where Collectors or Conſtables in the City and County of *New-York,* have kept back, or converted to his or their own Uſe, or ſhall hereafter keep back, or convert to his or their own Uſe, the Whole, or any Part of the Tax or Taxes, or the Rate or Rates, which he or they have been, or ſhall hereafter be impowered to collect, and that the ſame cannot be recovered from the Collector or Conſtable who committed ſuch Fraud or Frauds, or from his or their Heirs, Executors, and Adminiſtrators, within four Months after the ſame ought to be paid: Then, and in ſuch Caſe, the Juſtices, or the City-Veſtry, or both, or ſuch other Perſon or Perſons who did lay any original Tax or Rate, or ſhall hereafter lay the ſame, in which ſuch Imbezzlements, as aforeſaid, have happened, or ſhall hereafter happen; ſhall be, and hereby are fully authoriſed, impowered and required, to add in the next ſucceeding Tax or Rate of the ſame Nature, to the Quota or Aſſeſſment of ſuch Ward and Wards, as do and ſhall appear to be ſo in Arrear of former Taxes or Rates, as aforeſaid, ſo much as their reſpective Deficiency ſhall, *bona Fide,* amount to; which being ſo added to the ſaid Quota, is to be collected therewith, and paid in the ſame Manner, and to the ſame Uſe and Uſes, as in the original Tax or Rate is or ſhall be directed; out of which there ſhall be allowed for the Collection of it, the ſame Reward as the Collector or Conſtable would have had, if it had been collected by them.

The Penalty on the Juſtices and Veſtry-men for not complying with this Act.

II. AND that this Act may duly be obſerved and complied with; **Be it further Enacted** *by the Authority aforeſaid,* That the ſaid Juſtices and City-Veſtry, or ſuch other Perſon and Perſons who are to lay the Tax, as well as the Collectors and Conſtables of the ſaid City, ſhall be, and hereby are ſtrictly charged and enjoined, to comply with the Directions of this Act; and in Default thereof, they, and each of them reſpectively, ſhall be ſubject and liable to the ſame Fines and Penalties, as in ſuch Caſes are provided by the ſeveral Acts, by Virtue of which any former Taxes or Rates have been laid or aſſeſſed.

III. And

III. **And be it Provided and Enacted** *by the same Authority*, That whatever new Levies shall be made by Virtue of this Act, instead of the Deficiences which have been, or shall be occasioned by the Default of Collectors or Constables, in Manner as aforesaid; the Collector or Constable who did, or shall commit such Frauds, or make such Default, and his and their Executors and Administrators, shall be, and hereby are made as liable and subject to make the same good, as if this Act had not passed; to be recovered from him or them, with full Cost, in any Court of Record within this Colony, by Action of Debt, in which no Essoin, Protection, or Wager of Law, or more than one Imparlance shall be allowed; and the Monies which shall be recovered in Consequence thereof, shall be applied in Ease of the Ward or Wards, wherein such new Levies shall be made, in the first Tax or Rate of the same Nature, which shall thereafter be laid in the said City.

16th *GEORGE* II. A. D. 1743.

The Collectors and Constables committing such Fraud, their Executors, &c. liable, as if this Act had not passed.

How to be recovered and applied.

The Honourable GEORGE CLINTON, Governor.

The Seventeenth ASSEMBLY.

FIRST SESSIONS.

17th *GEORGE* II. A. D. 1743.

CHAP. DCCXLI.

An ACT *for the further Continuance of an Act, entitled,* An *Act* for and towards supporting the Government of this Colony, by Granting to his Majesty, the Duties therein mentioned, from the first Day of *December*, One Thousand Seven Hundred and Forty, to the first Day of *December*, One Thousand Seven Hundred and Forty-one.

Pass'd the 2d of December, 1743.

See Chap. 729. Continued by Chap. 778.

CHAP. DCCXLII.

An ACT *to let to farm the Excise on Strong Liquors retailed in this Colony, from the first of* November, *One Thousand Seven Hundred and Forty Three, to the first Day of* November, *One Thousand Seven Hundred and Forty Four.*

Pass'd the 2d of December, 1743.

Expired 1st of *November*, 1744.

CHAP. DCCXLIII.

An ACT *further to fortify the City of* Albany, *and Town of* Schenactady, *and for Raising the Sum of* Four Hundred and Fifty Pounds, *to defray the Expence thereof.*

Pass'd the 2d of December, 1743.

Obsolete.

CHAP. DCCXLIV.

An ACT *for the Payment of the Salaries, Services, and Contingencies therein mentioned, until the first Day of* September, *One Thousand Seven Hundred and Forty Four, out of the Funds appropriated for the Support of the Government.*

Pass'd the 17th of December, 1743.

Expired 1st of *September*, 1744.

17th *GEORGE* II. A. D. 1743.

CHAP. DCCXLV.

See Chap. 666. Explained by Chap. 768. *Prolonged by* Chap. 897.

An ACT *to prolong the Currency of Bills of Credit, emitted by Virtue of an Act, entitled,* An *Act* for emitting Bills of Credit, for the Payment of the Debts, and for the better Support of the Government, of this Colony, and other Purpoſes therein mentioned.

Paſs'd the 17th of December, 1743.

Preamble.

WHEREAS the Circumſtances of the Colony, in order to ſupport the Government of it, in an honourable Manner, require the Aid of the Intereſt Money, ariſing on the Bills of Credit, which have been ſtruck and iſſued by Virtue of an Act, entitled, *An* ‡ Act *for emitting Bills of Credit for the Payment of the Debts, and for the better Support of the Government of this Colony, and other Purpoſes therein mentioned,* paſſed in the Eleventh Year of his Majeſty's Reign, for a longer Time than the ſaid Intereſt Money ſtands appropriated, for the Support of this Government, in and by the Act aforeſaid:

‡ Chap. 666.

The Time of the Intereſt of the Bills of Credit, prolonged till *April*, 1751.

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the Time for which the ſaid Intereſt Money, ſo ſtands appropriated for Support of the Government, as aforeſaid, ſhall be, and hereby is deferred, removed and prolonged, until the third *Tueſday* in the Month of *April*, which will be in the Year, One Thouſand Seven Hundred and Fifty One; any Thing in the aforeſaid Act to the contrary hereof, notwithſtanding. And that at the Time laſt mentioned, *One fourth* Part of the ſaid Bills of Credit, and the Remainder thereof, in the three Years next ſuceeding thereafter, ſhall be paid in, cancelled and deſtroyed, in the ſame Manner, as in and by the Act aforeſaid is directed: And that as well the Act abovementioned, as one entitled, *An* || Act *to facilitate and explain the Duties of the Loan-Officers in this Colony,* paſſed in the ſaid Eleventh Year of his Majeſty's Reign, and every the Clauſes, Articles, Matters and Things in them contained, ſhall be, and hereby are Enacted, to continue and remain of full Force and Virtue, to all Intents, Conſtructions and Purpoſes whatſoever, until the third *Tueſday* in the Month of *April*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty Four; any Thing in the ſaid two Acts contained to the contrary notwithſtanding.

|| Chap. 667.

The Bills to be put out at Intereſt. How the Intereſt Money is to be employed.

II, **Be it Enacted** *by the ſame Authority,* That the ſaid Bills, during the Time they are hereby intended and enacted to remain current, ſhall continue to be put out at Intereſt in the ſame Manner and Method, as in the aforeſaid Act is directed and enacted; and that all the Intereſt Money which may ariſe on them during that Time, ſhall from Time to Time, be employed for and towards the Support of this Government, and applied for that Purpoſe, in ſuch Manner as in and by the firſt mentioned Act is directed, and not otherwiſe.

Loan-Officers ſuſpecting the Sureties Inſufficiency, to demand back the Principal.

III. **And be it further Enacted** *by the Authority aforeſaid,* That whenſoever the Loan-Officers of the ſeveral Cities and Counties within this Colony, ſhall have ſufficient Reaſon, to ſuſpect the Inſufficiency of any of the Securities taken or to be taken, for any Sums of Money lent or to be lent, out of any of their ſeveral Offices; they the ſaid Loan-Officers ſhall be and hereby are impowered and required to demand Payment of the Principal Sums, notwithſtanding the due Payment of the Intereſt thereof; and upon Failure of due Payment of ſuch Principal Sums, to proceed to the Sale of the mortgaged Lands, according to the Rules and Directions preſcribed in and by the before mentioned Acts, or either of them; any Thing in the ſaid Acts, or in either of them, to the contrary notwithſtanding.

CHAP.

17th *GEORGE* II. A. D. 1743.

CHAP. DCCXLVI.

An ACT *for limiting the Continuance of the General Aſſemblies of this Colony.*

Paſs'd the 17th of December, 1743.

Preamble.

WHEREAS by an Act paſſed in the firſt Year of the Reign of his late Majeſty, of glorious Memory, Parliaments in *Great-Britain* may reſpectively have Continuance for the Term of *Seven* Years, and no longer: And whereas the General Aſſembly of this, his Majeſty's loyal Colony, conceive it their Duty, as it is their Inclination, to copy after ſo wiſe an Example; They humbly pray it may be Enacted, and

No General Aſſembly to continue longer than ſeven Years from the Day on which they are appointed to meet.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That this preſent General Aſſembly, and all other General Aſſemblies hereafter to be called or held, ſhall and may reſpectively have Continuance for *Seven* Years, and no longer, to be accounted from the Day on which, by the Writs of Summons, this preſent General Aſſembly hath been, or any future General Aſſembly ſhall be, appointed to meet; unleſs this preſent, or any ſuch ſucceeding General Aſſembly hereafter to be ſummoned, ſhall be ſooner diſſolved by the Governor or Commander in Chief of this Colony for the Time being.

CHAP. DCCXLVII.

An ACT *for the better Regulating the Militia.*

Paſs'd the 17th of December, 1743.

Expired 1ſt of *December*, 1744. provided for, by Chap. 771.

CHAP. DCCXLVIII.

An ACT *for the more ſpeedy Recovery of Legacies within this Colony.*

Paſs'd the 17th of December, 1743.

Preamble.

WHEREAS the Methods heretofore made Uſe of for the Recovery of Legacies in this Colony, have been tedious and expenſive, to the great Hurt and Loſs of many of the good People of this Colony: For Remedy whereof;

By whom, and in what Manner, and in what Court, Legacies may be ſued for, and recovered.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after the Twenty-fifth Day of *March* next, it ſhall and may be lawful, for any Perſon or Perſons whatſoever, to whom any Legacy, or Bequeſt of any Sum or Sums of Money, or other perſonal Goods or Chattels, or any reſiduary Eſtate, have been, or may be given, by the laſt Will and Teſtament of any other Perſon or Perſons, legally made; to commence, ſue or proſecute an Action of Debt, Detinue or Account, as the Caſe may happen, for ſuch Legacy after it becomes due; if it amount to the Value of *Twenty Pounds*, or upwards, in the Supreme Court of this Colony, or any other Court of Record; and if under *Twenty Pounds*, in any of the Courts of Common-Pleas, in any of the Counties of this Colony; in which Action or Actions, ſo to be commenced, if it ſhall appear, that the Legacy or Legacies are due, and there be ſufficient Aſſets in the Hands of the Executors, to diſcharge the juſt Debts of the Teſtator, and the Legacy or Legacies bequeathed, the Plaintiff or Plaintiffs, ſhall recover with Coſts of Suit; any Law, Uſage or Cuſtom, to the contrary notwithſtanding. But in Caſe there ſhall be Aſſets to diſcharge all the Debts of the Teſtator, with an

If there is not a Sum ſufficient to diſcharge all the Legacies, and Abatement ſhall

17th *GEORGE* II. A. D. 1743.

Overplus, not amounting to a Sum ſufficient to diſcharge all the Legacies that may be given; then an Abatement ſhall be made, in Proportion to the Legacies ſo given: And where any Legatee or Legatees are, or may be under Age, at the Time when ſuch Legacy or Legacies ſhall become due; in ſuch Caſe, ſuch Legatee or Legatees, ſhall and may maintain an Action for their reſpective Legacies ſo given, by Guardian or next Friend, as fully and amply, as by Law they may do in any other Actions whatſoever.

be made in Proportion to the Legacies given. Infant Legatees may ſue by Guardian or next Friend.

II. **And be it further Enacted** *by the Authority aforeſaid*, That the reſpective Courts where the ſaid Actions may be commenced, upon the Plea of Want of Aſſets to pay all the Debts, and all the Legacies, ſhall appoint Auditors to examine the Accounts of the Executors; which Auditors, after full hearing thereof, at ſuch Time or Place, or Times and Places, as by them ſhall be appointed, with Notice to the Executors and Plaintiffs, or their reſpective Attornies, ſhall report how the Accounts of the Executors do ſtand, and how much Aſſets will remain after Payment of the whole Debts, and what Part of the Remainder is the Proportion that ought to go towards paying of the Plaintiff's Legacies; for which Proportion only, the Court ſhall then award Execution, upon the Judgment to be had in the ſaid Suit; which Judgment ſhall remain a Security, for Payment of the Remainder of the ſaid Legacies and Coſts, when ſufficient Aſſets for Payment thereof, come to the Executors Hands; which Court is alſo hereby impowered, upon Exception of either Party, and hearing of the Parties, to correct and amend any Miſtakes or Errors, that may happen in the Accounts ſo reported.

The Court to appoint Auditors to examine the Accounts of Executors, who ſhall report the State of ſuch Accounts, and the Proportion that ought to go towards paying Plaintiff's Legacies after Payment of the Debts
For which the Court ſhall award Execution, and may amend the Errors in the Accounts ſo reported.

III. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Courts, upon Conſideration of the Report of the Accounts of the Executors, ſhall, according to Juſtice and Equity, either award Coſts or no Coſts, out of the Teſtator's Eſtate; or in Caſe the Executors have been faulty, in delaying to pay the Legacy demanded, or a proportional Part thereof, without ſufficient Excuſe, then out of the proper Eſtate of the Executor or Executors; any Thing herein contained, to the contrary notwithſtanding.

Court to award Coſts out of the Teſtator's Eſtate, or the Executors, if the latter have been faulty.

IV. **Provided always**, That no ſuch Suit as aforeſaid, ſhall be maintained for any ſuch Legacy or Bequeſt, until reaſonable Demand made of the Executor or Executors, who ought to pay the ſame, and an Offer made of two ſufficient Sureties, to the ſaid Executor or Executors; who, if they think proper to accept thereof, ſhall become bound to them, the ſaid Executor or Executors, in double the Sum of the ſaid Legacies, with Condition, that if any Part, or the Whole thereof, ſhall, at any Time after, appear to be wanting, to diſcharge any Debt or Debts, Legacy or Legacies, which the ſaid Executor or Executors may not have other Aſſets to pay; that then, and in ſuch Caſe, he, the ſaid Legatee, will return his ſaid Legacy, or ſuch Part thereof as may be neceſſary, for the Payment of the ſaid Debts, or for the Payment of a proportional Part of the ſaid Legacies; and if the ſaid Executors ſhould not think proper to accept thereof, then the ſaid Legatees ſhall file ſuch Bond in Court, before obtaining any Proceſs againſt the ſaid Executor or Executors; otherwiſe the ſame Proceſs ſhall abate. *Provided alſo*, That where there are, or may be ſeveral Legatees, and a Return of Part of the ſaid Legacy ſhall afterwards appear neceſſary; in ſuch Caſe, each Legatee ſhall only be compelled to return a proportional Part of his Legacy, ſo as to make up the whole Sum wanting.

No Suit to be maintained for any Legacy till lawful Demand made, & an Offer of two Sureties to the Executor, for the refunding of what ſhall appear to be deficient to diſcharge the Debts, &c.

On the Executor's refuſing, the Bond to be filed in Court or Proceſs ſhall abate.

V. **And be it further Enacted** *by the Authority aforeſaid*, That where no Time, in and by any laſt Will and Teſtament, is limited, for the Payment of any ſuch Legacies; that then, and in ſuch Caſe, the ſaid Executor or Executors, ſhall have the Space of *One Year* to diſcharge the ſame; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

Where no Time is limited for paying Legacies, one Year allowed.

VI. Be

17th *GEORGE* II. A. D. 1743.

This Act to extend to Adminiſtrators, with the Will annexed.

VI. **Be it further Enacted** *by the Authority aforeſaid*, That this Act ſhall be conſtrued and taken, to extend to all Perſons to whom Letters of Adminiſtration have been, or ſhall be granted, with a Will annexed, as fully, to all Intents, Conſtructions and Purpoſes whatſoever, as if it had been particularly provided for, in the Body of this Act.

Remedy againſt Adminiſtrators.

VII. **And be it further Enacted** *by the Authority aforeſaid*, That all Perſons whatſoever, who have, or may have any Right to a Share or Shares, in the Eſtate of any Inteſtate, ſhall have the like Remedy againſt Adminiſtrators, for the Recovery of the ſaid Share or Shares, as by this Act is given to Legatees, againſt Executors, and be under the ſame Rules and Regulations; any Law, Uſage or Cuſtom, to the contrary notwithſtanding.

Lawful Acts done by them before Notice of a Will, to ſtand good.

VIII. **And be it further Enacted** *by the Authority aforeſaid*, That all lawful Acts done, or to be done, *bona Fide*, by any Adminiſtrator, before Notice of a Will, and all Sales of Goods and Chattels made by ſuch Adminiſtrator, *bona Fide*, before ſuch Notice, ſhall remain good, and ſhall not be impeached or altered by any Executor or Executors, on ſuch Will appearing afterwards. *Provided always*, That when at any Time after, ſuch Will ſhall appear, the Executor or Executors, ſhall have the ſame Remedy againſt ſuch Adminiſtrator or Adminiſtrators, for the Goods and Chattels, Rights and Credits remaining unadminiſtred, as he, ſhe or they, might have had before the making of this Act.

CHAP. DCCXLIX.

Expired 25th *December*, 1744.

An ACT *for the Relief of inſolvent Debtors, in the Colony of* New-York, *with Reſpect to the Impriſonment of their Perſons.*

Paſs'd the 17th of December, 1743.

CHAP. DCCL.

Expired 1ſt of *June*, 1746.

An ACT *to prevent firing the Woods in* Suffolk *County*, Dutcheſs *County, and the Manor of* Livingſton.

Paſs'd the 17th of December, 1743.

CHAP. DCCLI.

An ACT *to divide the Southern Part of the County of* Ulſter *into Precincts, and to enable the Corporation of* Kingſton, *and the Manor of* Fox-Hall, *to chuſe and elect one Supervizor more; and for regulating the Supervizors and Aſſeſſors within the ſaid County.*

Paſs'd the 17th of December, 1743.

Preamble.

WHEREAS a great Number of Inhabitants are ſettled in the Southern Part of the County of *Ulſter*, without the Bounds of any Town or Precinct heretofore eſtabliſhed within ſaid County; and for Want of being divided into Precincts, with Officers, as other Towns or Precincts, many Inconveniences have ariſen, and will continue to ariſe, if Remedy be not had thereto;

Names of three new Precincts in the South Part of *Ulſter* County.

Wallkill Precinct Bounds.

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the Southern Part of the Couty of *Ulſter*, ſo far as is within the Bounds herein after deſcribed, ſhall be and is hereby divided into three Precincts, by the Name of the *Wallkill Precinct*, *Shawangaungh Precinct*, and *High-Land Precinct*: Which *Wallkill* is to be bounded to the Northward by the North Bounds

17th *GEORGE* II. A. D. 1743.

Bounds of Ten Thouſand Acres of Land granted to *Jeremiah Schuyler* and others; by the South Bounds, of Four Thouſand Acres of Land granted to *Gerardus Beekman* and others, by the North Bounds, of Three Thouſand Acres of Land, granted to *Henry Wileman* and others: And which *Wallkill Precinct*, is to be bounded to the Eaſtward, by the Eaſt Bounds of the ſaid Three Thouſand Acres of Land granted to *Henry Wileman* and others; by the Eaſt Bounds, of One Thouſand Acres of Land granted to *John Johnſon*; and by the Eaſt Bounds, of Two Thouſand Acres of Land granted to *Cadwallader Colden*; and to the Southward, by the North Bounds of Two Thouſand Acres of Land granted to *Patrick Hume*; by the North Weſt Bounds of the Land granted to *Cornelius Low* and others, and by the North-Weſt and South-Weſt Bounds of Two Thouſand Acres of Land granted to *Phinies Mackintoſh*, and by the Line dividing the Counties of *Ulſter* and *Orange* to *Shawengaungh* Mountains; and which *Wallkill Precinct* is bounded Weſterly by *Shawengaungh* Mountains, as it runs from the County of *Orange*, to a Creek or River called the *Platte-Kill*, then all along the *Platte-Kill* to *Shawengaungh* River, then all along *Shawengaungh* River, to the North Bounds of the Ten Thouſand Acres aforeſaid. And ſaid *Shawengaungh Precinct* is to be bounded to the Weſt by the Foot of *Shawengaungh* Mountains; to the Southward and South by the Precinct of the *Wallkill*; to the Eaſt being bounded by the Eaſt Line, or Bounds of Three Thouſand Five Acres of Land granted to *Rip Van Dam*, and others, and by the Eaſt Bounds of Two Thouſand Acres of Land, granted to *Barbarie*, and by the Eaſt Bounds or Line of the ſaid Two Thouſand Acres of Land, granted to *Huddleſton*; and to the Northward by the North Bounds, or Line of the ſaid Two Thouſand Acres of Land, granted to *Huddleſton*, and by the North Bounds of Two Thouſand Acres of Land, granted to *Peter Matthews*, and others; and then croſſing the ſaid *Wallkill* River to the Mouth of *Shawangaungh* River, and from thence South-weſterly all along the North-Weſt Side of ſaid *Shawangaungh* River, as it runs, to the South-Weſt Corner of the Land granted to Colonel *Jacob Rutſen*, and from thence all along by the Weſterly Bounds or Line of ſaid Land granted to Colonel *Jacob Rutſen*, to a Salt-Pond, called *The great Salt Pond*, and from thence upon a Weſt Line to the Foot of *Shawangaungh* Mountains, aforeſaid.

Shawangaungh Precinct Bounds.

II. **And be it Enacted** *by the Authority aforeſaid*, That the adjacent Neighbourhood to the *New-Paltz*, called *Guildford*, and ſeveral other Patents, from the South Bounds of the *New-Paltz* Town, to the North Bounds of *Shawangaungh Precinct*, and from the Foot of the high Mountains Eaſtward the Eaſt Line of the Patent granted to *Thomas Garland*, and by the South and by Eaſt, by the Land granted to *Hugh Freere*, and others, and to the Eaſtward an Eaſt Line from the ſaid *Hugh Freere*'s Bounds, to the Bounds or Line of the *New-Paltz* Town aforeſaid, ſhall and are hereby annexed to the Townſhip of the *New-Paltz*.

Lands annexed to *New-Paltz* Townſhip.

III. **And be it therefore Enacted** *by the Authority aforeſaid*, That the Freeholders and Inhabitants of the above mentioned Neighbourhood and ſeveral Tracts of Land, ſhall be and are hereby annexed to the Townſhip of the *New-Paltz*; and ſhall be hereby impowered to chuſe, in Conjunction with the Freeholders and Inhabitants of the Townſhip of the *New-Paltz*, Yearly, one Supervizor, two Aſſeſſors, one Collector, one Conſtable and one Overſeer of the Poor, for ſaid Townſhip; and the ſaid Freeholders of the ſaid Neighbourhood and the ſeveral Tracts of Lands, ſhall be and are hereby made liable to ſerve for Supervizor, Aſſeſſor, Collector, Conſtable or Overſeer of the Poor, if elected by the Majority of Voices, under the like Reſtrictions and the ſame Fines and Forfeitures as the other Supervizors, Aſſeſſors and Collectors of the ſeveral Towns of ſaid County are liable to. And the *High-Land Precinct* is to be bounded to the Eaſtward by *Hudſon's River*; to the Southward

The Inhabitants of which Land are impowered to elect Officers in Conjunction with the Inhabitants of *New-Paltz*.

Highland Precinct Bounds.

Southward by the Line dividing the Counties of *Ulſter* and *Orange*; to the Weſtward by the *Wallkill*, *Shawangaungh*, and Neighbourhood annexed to the *New-Paltz*, and to the Northward by the Bounds or Line of the *New-Paltz* Town.

IV. **And be it Enacted** *by the Authority aforeſaid*, That the ſaid three Precincts, called the *Wallkill Precinct*, *Shawangaungh Precinct*, and *High-Land Precinct*, hereby ſhall each have Power, Yearly and every Year, to elect one Supervizor and all other Officers, and ſhall have all other Privileges, as any other Precinct or Precincts have within this Colony; and becauſe the *Wallkill River*, which croſſes through the ſaid *Wallkill Precinct*, is ſometimes dangerous to paſs, ſaid *Wallkill Precinct* ſhall have one Collector, one Aſſeſſor and one Conſtable, for that Part thereof which lieth to the Weſtward of the ſaid *Wallkill* River, and another Collector, another Aſſeſſor, another Conſtable, for that Part thereof which lieth to the Eaſtward of ſaid *Wallkill* River.

The ſaid three Precincts impowered to elect Officers, &c.

V. **And be it Enacted** *by the Authority aforeſaid*, That the Freeholders and Inhabitants of the *Wallkill Precinct* aforeſaid, ſhall annually meet at the now Dwelling-Houſe of *Matties Millſepagh*, on the firſt *Tueſday* of *April*, yearly, for electing the Officers belonging to that Precinct, until ſuch Times as the Majority of the Freeholders and Inhabitants at any one ſuch Meeting, ſhall agree upon ſome other certain Place of Meeting for the following Year; which Place being ſo agreed on, ſhall remain the Place of Meeting yearly, until altered as aforeſaid.

Time and Place of Meeting for the Inhabitants of *Wallkill* Precinct.

VI. **And be it Enacted** *by the Authority aforeſaid*, That the Freeholders and Inhabitants of *Shawangoungh Precinct*, ſhall annually meet at the Houſe of *Benjamin Smeds*, jun. on the firſt Tueſday of *April* yearly, for electing the Officers belonging to that Precinct, until ſuch Times as the Majority of the Freeholders and Inhabitants at any one ſuch Meeting, ſhall agree upon ſome other certain Place of Meeting for the following Year; which Place being ſo agreed upon, ſhall remain the Place of Meeting yearly, until altered as aforeſaid.

Time and Place of Meeting for the Inhabitants of *Shawangoungh* Precinct.

VII. **And be it Enacted** *by the Authority aforeſaid*, That the Freeholders and Inhabitants of the *High-Land Precinct* aforeſaid, ſhall annually meet at the now Dwelling-Houſe of *John Humphry*, jun. on the firſt *Tueſday* of *April*, for electing the Officers belonging to that Precinct, until ſuch Times as the Majority of the Freeholders and Inhabitants of any one ſuch Meeting, ſhall agree upon ſome other certain Place of Meeting, for the following Year; which Place, being ſo agreed on, ſhall remain the Place of Meeting yearly, until altered as aforeſaid.

Time and Place of Meeting for the Inhabitants of the *Highland* Precinct.

VIII. **Be it Enacted** *by the Authority aforeſaid*, That the ſaid Superviſors, Collectors, Aſſeſſors, Conſtables, and other Officers of the ſaid Precincts, ſhall have like Powers and Authorities, and be ſubject to the like Rules, Regulations, and Penalties, as are by Law preſcribed for any other ſuch Officers reſpectively, in any other Towns in ſaid County.

Powers granted to Supervisors, &c.

IX. **And be it Enacted** *by the Authority aforeſaid*, That the Freeholders and Inhabitants of the Corporation of *Kingſton*, and Manor of *Fox-Hall*, are hereby impowered to elect and chuſe one additional Supervisor, for the Corporation of *Kingſton*, and ſaid Manor of *Fox-Hall*, at the ſame Time, and in the ſame Manner, as the other Supervisor of the ſaid Corporation is elected; and the ſaid Supervisor ſhall have the ſame Power, and be under the like Fines and Penalties as the other Supervisor of the ſaid Corporation; and that the Freeholders and Inhabitants of the Manor of *Fox-Hall*, ſhall, and are hereby impowered, to chuſe and be choſen, in Conjunction with the Freeholders and Inhabitants of the Corporation of *Kingſton*, the two Supervisors aforeſaid.

Kingſton and *Fox-Hall*, impowered to chuſe an additional Supervisor.

X. Be

17th *GEORGE* II. A. D. 1743.

Mame-Kating Precinct erected, and impowered to chuſe one Conſtable, &c.

X. **Be it Enacted** *by the Authority aforeſaid*, That all the Land to the Southward of the Town of *Rocheſter*, as far as this County of *Ulſter* extends, and to the Weſtward of the *Wallkill* Precinct, and *Shawangoungh* Precinct, as far as the ſaid County extends; ſhall be, and is hereby erected into a Precinct, by the Name of *Mame-Kating Precinct*; and that the Freeholders and Inhabitants of *Mame-Kating* Precinct, ſhall yearly elect one Conſtable, two Aſſeſſors, two Overſeers of the Poor, and two Surveyors of the Highways; which ſaid Officers, ſhall have the ſame Power, and be liable to the ſame Fines and Forfeitures, as the like Officers of the ſeveral Towns, Manors and Precincts in the ſaid County, are impowered with, and liable to; and that the Freeholders and Inhabitants of *Mame-Kating* Precinct aforeſaid, ſhall annually meet at the now Dwelling-Houſe of *Samuel Swartwoudt*, on the firſt *Tueſday* in *April*, yearly, for the electing of the Officers aforeſaid, until ſuch Time as the Majority of the Freeholders and Inhabitants at any one ſuch Meeting, ſhall agree upon ſome other certain Place of Meeting for the following Year; which Place being ſo agreed on, ſhall remain the Place of Meeting yearly, until alter'd as aforeſaid; and that the Freeholders and Inhabitants of *Mame-Kating*, ſhall have the Privilege to join with the Freeholders and Inhabitants of *Rocheſter*, to chuſe yearly one Superviſor, and ſhall be liable to ſerve for Superviſor, if elected.

Superviſors to take an Oath.

XI. **And be it Enacted** *by the Authority aforeſaid*, That every Superviſor within the ſaid County, ſhall, yearly and every Year, before he enters on his Office, take the following Oath, before any one of his Majeſty's Juſtices of the Peace for the ſaid County; who is hereby authoriſed and required to adminiſter the ſame, and give a Certificate under his Hand and Seal, of having adminiſtered ſuch Oath; which Certificate ſhall be filed with the Clerk of the Superviſors, at the firſt Meeting of the Superviſors:

I A. B. *do ſwear, I will not paſs any Account, or any Article thereof, wherewith I do not think the County juſtly chargeable; nor will I diſallow any Account, or any Article thereof, wherewith I think the County juſtly chargeable.* So help me GOD.

The Superviſors to meet annually.

XII. **And be it further Enacted** *by the Authority aforeſaid*, That the Superviſors for ſaid County, or the greateſt Part of them, ſhall annually meet at the County-Houſe in *Kingſton*, in ſaid County, or at ſuch convenient Place in ſaid Town, as they, or the major Part of them ſhall think fit, on the firſt *Tueſday* in *October*, and at ſuch other Times as the ſaid Superviſors ſhall judge and find neceſſary and convenient, to examine and compute all ſuch publick neceſſary and contingent Charges, as they ſhall find the ſaid County properly chargeable with; and all ſuch Sum and Sums of Money as ſhall be brought and exhibited to or before them, that have, or ſhall be impoſed or laid on the ſame County, by the Laws of this Colony.

And iſſue their Warrants to the Aſſeſſors, to rate the Eſtates of the Inhabitants.

XIII. And for preventing Abuſes in aſſeſſing; **Be it Enacted** *by the Authority aforeſaid*, That the Superviſors, or the Majority of them, ſhall, at ſuch Meeting or Meetings, annually iſſue out their Warrants, commanding the Aſſeſſors of each reſpective Town, Manor and Precincts in the ſaid County, for the Time being, and thereby order them to rate all the Eſtates, real and perſonal, of all the Freeholders and Inhabitants of and in the ſaid ſeveral Towns, Manors and Precincts, for which they are choſen reſpectively; that they return, at ſuch Time and Place, as by the ſaid Warrant ſhall be directed, a Liſt under their Hands, of every Perſon's Name, with the full Sum of every Pound each Perſon is rated at; and the ſeveral Aſſeſſors ſhall firſt take the following Oath, before any of the Juſtices of the Peace for the ſaid County, who is hereby authoriſed and required to adminiſter ſuch Oath, *viz.*

I. A. B

I A. B. *do ſwear on the Holy Evangeliſts of Almighty God, That I ſhall return a Liſt, according to the Beſt of my Knowledge, to contain all the Names of all the Freeholders and Inhabitants within the Diſtrict for which I am choſen or appointed Aſſeſſor; and that I ſhall, well, truly, equally, impartially, and in due and equal Proportion, according to the Beſt of my Skill and Underſtanding, rate all the whole Eſtates, real and perſonal, the unimproved Lands excepted, of all the Freeholders and Inhabitants of the reſpective Places for which I am choſen or appointed Aſſeſſor; and that I ſhall carefully, according to the Beſt of my Skill and Underſtanding, compute the yearly Value of the Income of ſuch Eſtate, and for each Shilling which I ſhall ſo value each Perſon's Eſtate at yearly, I ſhall rate ſuch Perſon or Perſons One Pound.* So help me GOD.

The Oath of the Aſſeſſors.

AND the ſaid Superviſors are hereby required to make the Quota of each reſpective Place, according to the total Sum of each Liſt returned as aforeſaid, and not otherwiſe; and the Clerk of the Supervisors ſhall tranſcribe each Liſt, and add to each Perſon's Rate, the Sum or Proportion each Perſon is to pay, of what the Supervisors find the County chargeable with; and when the ſaid Liſts are compleated, the ſaid Supervisors, or the greater Number of them, are hereby required to iſſue their Warrants, commanding the Collector or Collectors of each Town, Manor or Precinct, to collect and pay the ſame, as by the ſaid Warrant ſhall be directed.

XIV. **And be it further Enacted** *by the Authority aforeſaid*, That the ſeveral Clerks of the Freeholders and Inhabitants of each Town, Manor and Precinct, ſhall annually, within *fourteen* Days after the Day of Election, tranſmit to the Clerk of the Peace of ſaid County, for the Time being, a true Liſt of all the ſeveral Officers Names that have been elected.

A Liſt of all the Officers Names to be tranſmitted to the Clerk of the Peace.

XV. **And be it further Enacted** *by the Authority aforeſaid*, That the Town of *Kingſton*, and Manor of *Fox-Hall*, may elect the additional Supervizor, and the Precincts of the *Wallkill*, *Shawangoungh* and *High-Lands*, may each elect a Supervizor, within one Month after the Publication of this Act.

Time for electing additional Supervizors.

XVI. AND whereas *Shawangoungh*, *High-Lands*, and *Magaghemeck*, have formerly been deemed and eſteemed three Precincts, and have for ſeveral Years laſt paſt, been aſſeſſed by their own Aſſeſſors; but by Reaſon of Diſputes that have ariſen, or for Want of aſſeſſing, or Neglect of Collectors, are become in Arrears both of publick Taxes, and the County Rates; **Be it therefore Enacted** *by the Authority aforeſaid*, That the Freeholders and Inhabitants of *Shawangoungh*, *High-Lands*, and *Magaghemeck*, ſhall pay and make good all ſuch Taxes and Rates, or the Arrears thereof, as they ought to have paid for *four* Years laſt paſt, and ſhall be aſſeſſed, collected, paid and levied, in Caſe of Refuſal of Payment, on or before the firſt Day of *June*, which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-four, in the ſame Method and Manner as it was uſually done before ſuch Diſpute as aforeſaid, did ariſe; any Thing in this Act to the contrary thereof notwithſtanding.

Taxes due for four Years paſt, to be paid.

XVII. **And be it further Enacted** *by the Authority aforeſaid*, That the Inhabitants of *Shawangoungh* Precinct, are hereby required and obliged, to work upon, and keep the King's Road in good repair, yearly, as far as the Swinging Gate of the Widow *Elſje Haſbrook*, any Thing in this Act contained to the contrary in any wiſe notwithſtanding. *Provided*, That nothing herein contained, ſhall extend to any Land to the Southward of an Eaſt and Weſt Line from *Murderers-Creek*, to *Delaware-River*, known by the Name of the Diviſion Line between *Orange* and *Ulſter* County.

The Inhabitants of *Shawangoungh*, to keep the King's Road in repair.

17th *GEORGE* II. A. D. 1743.

CHAP. DCCLII.

An ACT *to enable the Inhabitants of* Goſhen, *in the County of* Orange, *to elect two additional Conſtables at the Places therein mentioned.*

Paſs'd the 17th of December, 1743.

Preamble.

WHEREAS the Inhabitants of the Precinct of *Goſhen*, in the County of *Orange*, having by Act of the General Aſſembly, Liberty only to elect one Conſtable; and the ſaid Precinct being ſince conſiderably increaſed in Number of Inhabitants and Settlements, it is conceived neceſſary, that their Liberty in this Reſpect ſhould be enlarged:

Two more Conſtables to be choſen for the Precinct of *Goſhen*.

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That from and after the Publication of this Act, it ſhall and may be lawful to and for the Inhabitants of the Precinct of *Goſhen* aforeſaid, and they are hereby impowered to elect and chuſe two additional Conſtables more, yearly, at the Times already fixed for the Election of one Conſtable; one of which Conſtables to be elected and choſen from and out of ſuch of the Inhabitants as have Habitations in the South Part of *Goſhen*, commonly called *Wawayanda*, and the other from and out of ſuch of the Inhabitants as have Habitations to the Northward, near the Meeting-Houſe commonly called the Water-ſide Meeting-Houſe; any Law, Uſage or Cuſtom to the contrary in any wiſe notwithſtanding.

CHAP. DCCLIII.

Continued by Chap. 884.

An ACT *for the better clearing and further laying out publick Highways in the County of* Ulſter.

Paſs'd the 17th of December, 1743.

CHAP. DCCLIV.

An ACT *for the better Relief of the Poor in* Dutcheſs *County.*

Paſs'd the 17th of December, 1743.

Preamble.

WHEREAS the Inqueſt and Burial of Perſons coming to accidental Deaths in the ſaid County, and leaving no Eſtate to defray the neceſſary Expence thereof; and that the Relieving of the Poor in the ſame County hath been often heavy upon ſome particular Perſons, by reaſon the Supervizors of the ſaid County declined to allow the ſame as a proper County Charge, under Pretence that the Act, entitled, *An* † *Act for defraying the publick and neceſſary Charge throughout this Province, and for maintaining the Poor, and preventing Vagabonds*, did not give them ſufficient Power and Authority ſo to do: For Remedy of which Inconveniences,

† Chap. 6.

In what Caſes Proviſion ſhall be made for the Poor

I. **Be it Declared and Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That when an Inqueſt and Burial ſhall happen in the ſaid County, of Perſons coming to accidental Deaths, who leave no Eſtates out of which the ſame can be diſcharged, or that any Poor living and reſiding in the ſaid County, ſhall ſtand in real Need of Relief; Application ſhall and may be made to the Seſſions of the Peace, to be held for the ſaid County; and if it appears to the Juſtices then convened, that in either of the Caſes above mentioned, proper Proviſion ought to be made, and ſuch Proviſion as they or the major Part of them ſhall thereupon judge really juſt, reaſonable and neceſſary, within

within the Bounds of Moderation, they are to certify under their Hands to the Supervizors of the ſaid County for the Time being; and the ſame being produced to them at their annual Meeting, they are to add the Charge that may accrue by the Means aforeſaid, in Manner following, *that is to ſay*; the Charge of the Poor, which ſhall happen in the reſpective Precincts of the ſaid County, ſhall be defrayed by the particular Precinct in which ſuch Charge ſhall ariſe, and for that Purpoſe ſhall be added to their reſpective Quotas of the annual County Rates; and the Charges which ſhall ariſe by the Inqueſt and Burial of Perſons coming to accidental Deaths, who have no Effects or Eſtate out of which the ſame can be diſcharged, ſhall be a general Charge to the whole County.

Such Proviſion to be added to the County Rates.

II. **And be it further Enacted** *by the ſame Authority*, That when the Supervizors, at their annual Meeting, ſhall have ſettled the County Charge of the foregoing Year, they ſhall add thereto the Charge of the Poor, and the Inqueſt and Burial of ſuch dead Bodies, as aforeſaid, in the Manner herein before directed; and then to iſſue Warrants under their Hands and Seals, for aſſeſſing, levying and collecting the whole Amount thereof, and for paying the ſame to the County Treaſurer; out of which they are to order the ſaid Treaſurer to make Payments, as well of the Charges aforeſaid, as of all other Matters and Articles that ſhall be allowed by them as a County Charge, unto the ſeveral Perſons who ſhall reſpectively be intitled to the Particulars thereof. THIS Act to be and remain of Force from the *Twenty-fifth* Day of *December*, in this preſent Year *One Thouſand Seven Hundred and Forty three*, until the *Twenty fifth* Day of *December* which will be in the Year of our Lord *One Thouſand Seven Hundred and Fifty*.

The Superviſors to cauſe the ſame to be aſſeſſed.

Continuance of this Act.

CHAP. DCCLV.

An ACT *for leſſening the Reward for killing and deſtroying of Wolves and Panthers in the County of* Orange.

Paſs'd the 17th of December, 1743.

See Chap. 736. Expired 1ſt of *October*, 1745.

CHAP. DCCLVI.

An ACT *to enable the Juſtices of the Peace in* Dutcheſs *County, to build a Court-Houſe and Goal; and to enlarge and repair the old One.*

Paſs'd the 17th of December, 1743.

See an Act to divide Dutcheſs *County into Precincts*, Ch. 652. *See further Proviſion*, Chap. 886.

The former Part of this Act, appearing by the Preamble of Chap. 886, *to be obſolete, the following Section is all that was thought neceſſary to be printed.*

III. AND to the End, the ſeveral Perſons living upon and poſſeſſing that Part of the Lands in ſaid † County, which are generally called and known by the Names of *the Oblong*, may be the more regularly aſſeſſed and rated their Quota or juſt Proportion of the ſaid, and all other Taxes, as likewiſe of the County Rates; **Be it further Enacted** *by the ſame Authority*, That the Eaſt Lines of the four ſeveral Precincts in the ſaid County, which are adjoining to the Lands above mentioned, *that is to ſay*, the *South Precinct*, *Beekmans Precinct*, *Crom-Elbow-Precinct*, and the *North Precinct*, ſhall and are hereby declared to extend as far Eaſtward as to the Colony Line of *Connecticut*, or as this Colony doth extend; and the Perſons ſo living upon the Lands aforeſaid, within the Lines and Extent of the ſeveral Precincts as aforeſaid, are hereby declared Members of ſuch Precinct.

Extent of four Precincts.

† *Meaning* Dutcheſs *County*.

17th *GEORGE* II. A. D. 1743.

Repealed and Provided for by Chap. 885.

CHAP. DCCLVII.

An ACT *in Addition to an Act for the better clearing, regulating, and further laying out publick High-Roads in the City and County of* Albany.

Paſs'd the 17th of December, 1743.

17th *GEORGE* II. A. D. 1744.

Obſolete.

CHAP. DCCLVIII.

An ACT *for repairing and compleating the Fortifications of this Colony; for defraying the Charge of the ſeveral Services therein mentioned; for the Uſe and Security of the ſaid Colony; and for building a new Houſe, proper for the Reſidence of Governors thereof, for the Time being.*

Paſs'd the 19th of May, 1744.

CHAP. DCCLIX.

See Chap. 698.

An ACT *to impower the ſworn Re-packers of the City of* New-York, *for the Time being, to repack and brand Half-Barrels of Beef and Pork.*

Paſs'd the 19th of May, 1744.

Preamble.

WHEREAS by an Act of the General Aſſembly, paſſed in the Fourteenth Year of His Majeſty's Reign, entitled, *An Act to prevent Abuſes in the Re-packing of Beef and Pork*, no Proviſion was made for the Re-packing and Branding of Half-Barrels of Beef and Pork; for Want of which many Inconveniences have ariſen: In Remedy whereof;

Re-packers of *New-York*, to brand Half-Barrels.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after the Publication of this Act, it ſhall and may be lawful to and for, the ſworn Re-packers of the City of *New-York*, for the Time being, to re-pack and put any of the reſpective Brands, directed in the herein before mentioned Act, on Half-Barrels of Beef or Pork; *provided*, that each Half-Barrel ſo to be re-packed and branded, ſhall not contain leſs than Fifteen Gallons and an Half; and that each containing Beef, no more than one Shin, and in each containing Pork, no more than two half Heads, be put, under the like Rules and Regulations, and under the like Penalties and Forfeitures, as are mentioned in the aforeſaid Act, with reſpect to Whole Barrels of Beef and Pork.

Mayor, &c. to adminiſter the Oath of Office to the Re-packers.

II. **And be it further Enacted** *by the Authority aforeſaid,* That the Mayor, Deputy-Mayor, or Recorder, who by the aforeſaid Act, are impowered to adminiſter an Oath or Affirmation to the ſaid Re-packers, for the due Execution of their Office, ſhall be and hereby are impowered and required, after the Word *Barrels*, in the Form of the Oaths preſcribed by the aforeſaid Act, to add the Words (*or Half-Barrels*) any Thing in the ſaid Act to the Contrary notwithſtanding.

CHAP. DCCLX.

An ACT *for the punctual Payment of the County Rates in* Suffolk *County, and for the more effectual Recovering the Arrearages thereof.*

Paſs'd the 19th of May, 1744.

Preamble.

WHEREAS there are ſundry Arrearages of County Rates, that remain uncollected, of ſeveral Inhabitants of the Towns, Manors, Liberties and Juriſdictions within the County of *Suffolk:*

I. Be

17th *GEORGE* II. A. D. 1744.

I. **Be it Enacted** *by his Excellency the Governor, Council and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the Collectors of the ſeveral Towns, Manors, Liberties and Juriſdictions in the ſaid County, for the Time being, ſhall and are hereby directed, authorized and required, to levy and collect all or any Part of ſuch Arrears, according to the ſeveral Aſſeſſments thereof, of and from the ſeveral and reſpective Perſons, in the ſeveral and reſpective Towns, Manors, Liberties and Juriſdictions, in the ſaid County, chargeable therewith; and the Money ſo levied and collected, ſhall forthwith be paid to the Treaſurer of the ſaid County, to be diſpoſed of as the Supervizors thereof ſhall direct, for the Uſe of the ſaid County.

Arrearages of County Rates, to be collected and paid to the Treaſurer.

II. AND Whereas there are ſeveral Iſlands, Manors, Precincts, Liberties, and Juriſdictions in the ſaid County, the Inhabitants whereof have neglected, denied or refuſed, to chuſe an Aſſeſſor, or Aſſeſſors, Collector or Collectors, and having none nominated and appointed to aſſeſs and collect the ſeveral and reſpective Rates of the neceſſary and contingent Charges of the ſaid County: **Be it therefore Enacted** *by the Authority aforeſaid*, That it ſhall and may be lawful for the Sheriff of the ſaid County, and he is hereby authorized, and required, to go into ſuch Iſland, Manor, Precinct, Liberty or Juriſdiction, and demand ſuch Arrearages as the Owner or Owners thereof owe, of the neceſſary and contingent Charges of the ſaid County, purſuant to Warrant or Warrants, that ſhall be iſſued by the Supervizors of the ſaid County, for the Time being, to the ſaid Sheriff directed, certifying how much ſuch Iſland, Manor, Precinct, Liberty or Juriſdiction, is or are in Arrear. And if the Owner or Owners of the ſame, or the Tenant or Tenants in Poſſeſſion, refuſe or neglect to pay the ſaid Arrears; then the ſaid Sheriff to take to his Aſſiſtance, ſo many of the Freeholders and Inhabitants of the ſaid County as he ſhall think fit, and enter into ſuch Iſland, Manor, Precinct, Liberty or Juriſdiction, and levy the ſaid Arrears, by Diſtreſs upon the Goods and Chattels of the ſaid Owner or Owners, Tenant or Tenants, in Poſſeſſion of ſuch Iſland, Mannor, Precinct, Liberty or Juriſdiction; and the ſaid Diſtreſs to lead, drive or carry away to the next Town in the ſaid County, and there within twenty Days, expoſe to Sale at publick Vendue, ſuch Diſtreſs, having firſt given Notice, of the particular Place and Time of ſuch Sale, by ſetting up a publick Advertiſement thereof, at the County-Hall in the ſaid County, at leaſt ten Days before ſuch Vendue; and out of the Money of ſuch Sale, the ſaid Sheriff is hereby required to pay the ſaid Arrears of Rates, to the Treaſurer of the County, to be diſpoſed of as aforeſaid, whoſe Receipt ſhall be his Diſcharge; and alſo pay the Charge of ſuch Diſtreſs and Sale, and return the Overplus, if any be, to the Owner.

Where Aſſeſſors, &c. have not been choſen, Sheriff to collect Arrearages purſuant to Warrant of Supervi-ſors;

And if any refuſe to pay the Arrearages, he ſhall levy them by Diſtreſs, &c.

III. AND for the better Collecting and Gathering of the annual Rates for the Future, of ſuch Iſlands, Mannors, Precincts, Liberties and Juriſdictions, of the neceſſary and contingent Charges of the ſaid County: **Be it Enacted** *by the Authority aforeſaid*, That if the Owner or Owners, Tenant or Tenants, of the reſpective Iſlands, Manors, Precincts, Liberties or Juriſdictions aforeſaid, ſhall neglect, delay or refuſe to pay to the Treaſurer of the ſaid County, the ſeveral and reſpective Sum or Sums of Money, which he or they are or ſhall be required and directed to pay, levy or collect within their reſpective Diſtricts, for their Proportion of their County Charges, purſuant to Warrant or Warrants which from Time to Time ſhall be iſſued by the Superviſors of the ſaid County for that Purpoſe, by the Space of thirty Days after the Time limited for the Payment thereof, in ſuch Warrant or Warrants; that then the Sheriff of the ſaid County, ſhall, and he is hereby authorized and required, to make Diſtreſs and Sale for the ſame, in Form and Manner as is above directed.

All future County Rates, the Sheriff ſhall alſo levy upon Neglect of Payment, by *Diſtreſs*, &c.

CHAP.

17th *GEORGE* II. A. D. 1744.

See Chap. 688. *The Act explained being expired, this is* Obſolete.

C H A P. DCCLXI.

An ACT *to explain Part of an Act, entitled,* An *Act* for the better clearing, regulating, and further laying out publick Highways, in *Kings* County, *Queens* County, *Richmond* County, and *Orange* County.

Paſs'd the 19th of May, 1744.

See Chap. 644. *which being expired, this is* Obſolete.

C H A P. DCCLXII.

An ACT *to alter Part of an Act, entitled,* An *Act* for the better clearing, regulating, and further laying out publick High-Roads in the County of *Weſtcheſter.*

Paſs'd the 19th of May, 1744.

18th *GEORGE* II. A. D. 1744.

Expired at the End of the War.

C H A P. DCCLXIII.

An ACT *to exempt Prize-Goods from any Duty or Cuſtom impoſed by the Laws of this Colony.*

Paſs'd the 1ſt of September, 1744.

C H A P. DCCLXIV.

Continued by Chap. 838.

An ACT *to ſupport the Garriſon and Trading Houſe at* Oſwego.

Paſs'd the 1ſt of September, 1744.

Preamble.

WHEREAS by Means of the Trading-Houſe at *Oſwego*, the remote Nations of Indians, have been encouraged to trade there, whereby our Furr Trade has been very much increaſed, to the Benefit of thoſe who trade thither, and at the ſame time enables us to make very valuable Returns to *Great-Britain*: But as the Funds granted for victualling the Garriſon poſted there, and for defraying the neceſſary Contingencies, requiſite to ſupport the Houſe and Trade aforeſaid, will expire on the firſt Day of *November* next; a further Proviſion is required, to uphold a Place and Trade of that Importance; which the General Aſſembly being willing to grant;

An Impoſt laid on certain Goods, and granted to his Majeſty.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That there be given and granted unto his Majeſty, his Heirs, and Succeſſors, to and for ſupporting the Trading Houſe at *Oſwego*, to victual the Troops poſted or to be poſted there, and to defray the contingent and neceſſary Charges attending the ſame, from the firſt Day of *November*, in this preſent Year *One Thouſand Seven Hundred and Forty Four*, to the firſt Day of *November*, which will be in the Year *One Thouſand Seven Hundred and Forty ſix*, and to and for no other Uſe or Purpoſe whatſoever, the Duties and Impoſitions following, on the Goods hereafter mentioned, which ſhall be ſold, carried, or tranſported, in order to be diſpoſed of to the Indians, from the ſaid firſt Day of *November*, in the Year *One Thouſand Seven Hundred and Forty four*, to the firſt Day of *November*, which will be in the Year *One Thouſand Seven Hundred and Forty ſix*, incluſive, *that is to ſay*; On every Piece of Strouds, or other Cloaths, the Sum of *Ten Shillings*, current Money of this Colony; and for every Gallon of Rum, or other diſtilled Liquors, *One Shilling*, in like Money, except an Allowance of *Ten per Cent.* for each Battoe or Canoe, for their Stores; and ſo in Proportion for a greater or leſſer Quantity.

II. And

II. AND for the better Securing the Payment of the ſaid Duty, **Be it Enacted** *by the Authority aforeſaid*, That every Perſon and Perſons, carrying, ſending, or tranſporting, any Strouds, or other Cloaths, Rum, or other diſtilled Liquors (except as before excepted) from the City of *Albany*, or from any Part of the ſaid County, whether ſold, or with Intent to ſell the ſame to the Indians; ſhall firſt enter with, or report to the Commiſſioners herein after named, or to one of their Deputies, the full and exact Quantity thereof; and at the ſame Time become bound to pay the Duties by this Act impoſed on the ſaid Goods, unto them or their Order, within three Calander Months after ſuch Entry, and ſecure the Payment thereof, by Recognizance or Bond, or Bill, at the Election of the ſaid Commiſſioners or their Deputies.

Perſons carrying Goods to trade with the Indians, ſhall firſt enter the ſame with Commiſſioners, and give Bond to pay the Duties.

III. **And be it Enacted** *by the Authority aforeſaid*, That immediately after the ſaid Goods are ſo entered, and the Duties thereof ſecured in Manner aforeſaid; then the ſaid Commiſſioners, or either of them, or their Deputies, ſhall give proper Certificates, under his or their Hands and Seals, of the Perſon's Name ſo entering, and the Quantities and Species of the Goods, for which the Duty is ſo ſecured; and for which ſuch Certificate of all the Goods ſo entered, at one Time, the Party ſo entring the ſame, ſhall pay unto the Commiſſioners, for their Trouble therein, *One Shilling*, and for a Recognizance, Bond or Bill, *Two Shillings*, and no more.

On which Entry, a Certificate to be given.

IV. AND that the Payment of the Duty hereby laid on Strouds, or other Cloaths, may not be eluded, by cutting them into ſmall Pieces: **Be it Enacted** *by the Authority aforeſaid*, That of Strouds, cut and ſold in ſmall Parcels, every twenty-four Yards, ſhall be accounted as one Piece, and be ſubject to pay the Duty of *Ten Shillings* laid on it by this Act, and ſo in Proportion.

Cut Strouds to pay Duty.

V. **And be it alſo Enacted** *by the Authority aforeſaid*, That all ſuch Strouds, or other Cloaths, as ſhall be ſold to the Indians within the City or County of *Albany*, during the Continuance of the ſaid Duties; the Perſon or Perſons, ſo ſelling the ſame, ſhall within fourteen Days after ſuch Sale, declare to the Commiſſioners, or one of them, the full Quantity of all ſuch Goods ſo ſold, and to pay or ſecure to be paid the Duties thereof, upon the Penalty of paying double Duty for ſuch Goods, upon every Failure or Neglect; to be recoverd in the ſame Manner as the Duties upon Goods clandeſtinely ſent, carried, or tranſported for Sale to the Indians, are herein directed to be recovered.

Goods ſold to the Indians in *Albany*, to pay Duty.

VI. **Be it further Enacted** *by the Authority aforeſaid*, That if all or any Part of Strouds or other Cloaths, ſo entered, and the Duties thereof paid or ſecured, by any Perſon or Perſons, in Manner as aforeſaid, ſhall be unſold and returned to the Place where a Certificate was granted for the ſame; the ſaid Commiſſioners are hereby directed and required, either to remit or deduct out of the Recognizance, Bond, or Bill, given for the Duty thereof, ſo much as the Duty of ſuch returned Strouds or other Cloaths amount to, or to pay the ſame back to the Party, if ſuch Duties have been paid to the Commiſſioners before that Time; provided the Party requiring ſuch Remittance or Repayments, firſt ſwear on the Holy Evangeliſts, *That ſuch Strouds, or other Cloaths, were actually entred, and Duty paid, or ſecured to be paid for them, within ſix Days before ſuch ſwearing, and likewiſe that he or ſhe will not again, ſend, carry, or tranſport them for Sale to the Indians, until he or ſhe ſhall firſt enter and ſecure the Duties thereof.*

The Duty on Goods returned unſold to be remitted.

VII. AND to prevent Strouds or other Cloaths, Rum, or other diſtilled Liquors, from being clandeſtinely ſent, carried or tranſported for Sale to the Indians;

18th *GEORGE* II. A. D. 1744.

Commiſſioners ſuſpecting Perſons to carry Goods not entered, may ſummon them and oblige them to ſwear.

Indians: **Be it Enacted** *by the Authority aforeſaid*, That if the ſaid Commiſſioners ſhall, during the Time a Duty is hereby laid on thoſe Goods, have Information, or juſt Cauſe to ſuſpect, that any Perſon or Perſons, has or have ſent, carried, or tranſported any ſuch Goods or Liquors before mentioned, or either of them, without entring, or more than entred; it ſhall be lawful for the ſaid Commiſſioners, and they, or one of them, are hereby required to ſummon ſuch Perſon or Perſons before him or them; and he, ſhe or they, ſo appearing, ſhall be obliged to make Oath before him or them, of the full Quantity of Strouds, or other Cloaths, Rum, or other diſtilled Liquors, ſent, carrried, or tranſported for Sale, to the Indians, by or for him, her, or them, ſo ſummoned, from a Time to be named by the Commiſſioners; and upon ſuch Information or Suſpicion afterwards, he or they ſhall and may iſſue ſuch Summons or Summonſes, again and again, and cauſe ſuch Oath to be adminiſtred; provided the Time do not exceed beyond the Time at which the Party ſwore laſt: And if upon ſuch Oath or Oaths, it appears, that more is ſent, carried, or tranſported, than what has been duly entred; the Party or Parties is, and are hereby obliged immediately to pay a double Duty for all ſuch Goods, as ſhall appear to be ſent, or ſold without Entry, or more than entred, or enter into Recognizance to pay it within ten Days thereafter; and on Failure of either, the ſame is to be recovered before any two Juſtices of the Peace in the City and County of *Albany*; who are hereby impowered and required to award Judgment, and if need be, Execution accordingly; and if the Party or Parties ſo ſummoned as aforeſaid, do not appear within fourteen Days after ſuch Summons is perſonally ſerved upon him, her, or them, or left at his, her, or their uſual Place of Abode, or appearing, do refuſe to ſwear and give an Account, as aforeſaid; in either of ſuch Caſes, he, ſhe or they, ſhall forfeit unto his Majeſty, his Heirs and Succeſſors, to and for the Uſe of the ſaid Trading-Houſe, the Sum of *Fifty Pounds*; to be recovered within any Court of Record within this Colony, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be allowed; and if ſuch Perſon or Perſons be afterwards ſummoned, the Oath ſhall only be required from the Time the laſt Summons was dated: And the ſaid Commiſſioners are hereby impowered and authoriſed to adminiſter the ſeveral Oaths in this, and in the foregoing Clauſes mentioned.

And pay double Duty for ſuch Goods.

VIII. **Be it further Enacted** *by the Authority aforeſaid*, That if any Rum, or other diſtilled Liquors, Strouds, or other Cloaths, be found to the Weſtward of *Burnet*'s Field, or any Strouds, or other Cloaths, beyond the Bounds of the City of *Albany*, to the Northward, without ſuch Certificate, as aforeſaid; the ſame ſhall be forfeited unto his Majeſty, his Heirs and Succeſſors, and recovered in any Court of Record within this Colony, by Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed; one Half of which Forfeiture to be for the Uſe of the Trading-Houſe at *Oſwego*; and the other Half to and for any Perſon or Perſons, ſeizing, informing, and proſecuting the ſame to Effect.

Goods carried to be ſold without a Certificate; to be forfeited.

IX. **And be it further Enacted** *by the Authority aforeſaid*, That *John Depeyſter* and *Philip Livingſton*, jun. ſhall be, and hereby are appointed Commiſſioners for managing, ſecuring, and collecting the Duties above-mentioned; and for the effectual doing thereof, they are hereby fully authoriſed to receive ſuch Entries or Reports, and to grant, iſſue ſuch Certificates, as aforeſaid; and likewiſe to appoint one or more Deputies under them, with the like or limited Power: *Always provided*, that they ſhall be anſwerable for the Conduct and Management of ſuch Deputy or Deputies: *Provided likewiſe*, That all the Money to ariſe by Virtue of this Act, ſhall be received by the ſaid Commiſſioners, or either

Commiſſioners appointed.

either of them, and, by them, from Time to Time, be tranſmitted to the Treaſurer of this Colony; and if one of them happen to die, before the Determination of the ſaid Duties, all the ſaid Power ſhall devolve on the Survivor of them; and in Caſe they both die within the ſaid Time, then the firſt Deputy, to be appointed by them, ſhall have the ſame Power and Authority hereby given unto the ſaid Commiſſioners, until another ſhall be appointed by a ſubſequent Act; and, in the mean While, be ſubject to all the Directions and Rules, and to take the ſame Oath, and to enter into the like Recognizances, and be intitled to the ſame Reward, as in this Act is, and ſhall be mentioned, on the Behalf of the above-named Commiſſioners.

X. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Commiſſioners ſhall be, and hereby are obliged to do and perform every Thing, by this Act required of them, to be done and performed, according to the true Intent and Meaning thereof; and not only keep exact Books of all the Duties to ariſe by Virtue of this Act, but alſo to render true and juſt Accompts thereof, upon Oath, to the Governor or Commander in Chief, for the Time being, the Council, or the General Aſſembly, when, by them, or any of them, thereunto required: And, of all the ſeveral Sums they ſhall receive, and tranſmit to the Treaſurer, it ſhall be lawful for them to retain in their Hands, as a Reward for their Trouble and Care, by this Act required to be done and performed by them, *Five Pounds*, on every *Hundred Pounds*; and after that Rate, for a greater or leſſer Sum, ſo received and tranſmitted, as aforeſaid.

Their Duty

XI. **Be it alſo Enacted** *by the Authority aforeſaid*, That each of the Commiſſioners above-named, ſhall, on or before the fifteenth Day of *November* next, take the following Oath, on the Holy Evangeliſts, before the Mayor, or Recorder, or any two of the Aldermen of the ſaid City, *viz.*

I A. B. *do ſwear, that I will not, during the Continuance of the Duties impoſed by this Act, iſſue any ſuch Summons, or adminiſter any ſuch Oath, as I am thereby impowered to do, againſt, or to any other Perſon or Perſons, than ſuch as I really ſuſpect, or be informed to have ſent, carried, tranſported, or ſold, to the Indians, Strouds, or other Cloaths, or Rum, or other diſtilled Liquors, without entring the ſame, or more than what has been ſo entred; and that, if I ſend, tranſport, or ſell to the Indians, any of ſuch Goods, on my own Accompt, or in Partnerſhip with others, I ſhall give full Credit for the whole Duty thereof, in the Book to be kept by me, of the ſaid Duty:* So help me God.

Commiſſioners Oath.

And each of the ſaid Commiſſioners, are hereby further obliged, at, or within the Time aforeſaid, to enter into Recognizance with two Securities, unto our Sovereign, the Lord the King, his Heirs and Succeſſors, before the ſaid Mayor, or Recorder, in the Sum of *One Thouſand Pounds*; and each of the Securities, in the Sum of *Five Hundred Pounds*; conditioned, That he ſhall and will, well and truly, execute what, by this Act, he is impowered and required to do, in Relation to the Duties therein-mentioned; to pay the Money ariſing thereby, and render true Accompts thereof; as in, and by this Act is directed.

Commiſſioners to enter into Recognizances to do their Duty.

XII. **Be it further Enacted** *by the Authority aforeſaid*, That the ſaid Mayor, or Recorder, or any two of the Aldermen of the ſaid City of *Albany*, who ſhall adminiſter the afore-mentioned Oath to the ſaid Commiſſioners, or take the above-mentioned Recognizances of them, ſhall, within two Months after the Date thereof, tranſmit unto the Treaſurer of this Colony, the ſaid Recognizances; as alſo a Certificate, that ſuch Oaths, as aforeſaid, have been taken before him or them, by the ſaid Commiſſioners; which ſaid Certificate and Recognizances, are to be lodged and remain in the Treaſury.

Such Recognizances to be tranſmitted to the Treaſurer of the Colony.

 XIII. Be

18th *GEORGE* II. A. D. 1744.

Liquors paying Duty, to be exempted from Exciſe.

‡ Chap. 263.

XIII. **Be it Provided and Enacted** *by the Authority aforeſaid*, That all ſuch Rum, or other diſtilled Liquors, as, by this Act, are ſubject and liable to pay the Sum of *One Shilling*, on every Gallon; and for which ſuch Duty ſhall be actually paid, or ſecured to be paid, in Manner as aforeſaid, ſhall, during the Continuance of the ſaid Duty by this Act, be exempted of the Duty of Exciſe, laid by an Act, entitled, *An* ‡ Act *for laying an Exciſe on all Strong Liquors, retailed in this Colony*; paſſed in the twelfth Year of her late Majeſty's Reign; the ſaid Act, or any other Law to the contrary thereof notwithſtanding.

Perſons carrying Goods to trade with Indians, to enter into Recognizance.

XIV. **Be it further Enacted** *by the Authority aforeſaid*, That every Perſon and Perſons, carrying, ſending, or tranſporting, any Strouds, or other Cloaths, to *Oſwego*, *Oneyda*, *Cajouga*, *Tuſcorora*, *Onandago*, or *Senecas*; whether ſold, or with Intent to ſell the ſame to the Indians, ſhall firſt report or enter, with the Commiſſioners aforeſaid, or one of them, or one of their Deputies, the full, exact, and diſtinct Quantity thereof; and, at the ſame Time, enter into Recognizance, to our Sovereign Lord the King, with one or more ſufficient Surety or Sureties, according to the Diſcretion of the Commiſſioner or Commiſſioners, or his or their Deputy or Deputies, to the Effect following, *that is to ſay*;

The Form of it.

MEMORANDUM: *On the Day of in the Year of our Lord then* A. B. *appeared before me one of the Commiſſioners, appointed by an Act of the General Aſſembly of this Colony, for managing, ſecuring, and collecting the Duties on Indian Goods and Rum; and did acknowledge himſelf indebted unto our Sovereign Lord the King, his Heirs and Succeſſors, in the Sum of* Fifty Pounds, *current Money of this Colony, to be levied on all and ſingular Lands and Tenements, Goods and Chattels; and alſo appeared, as aforeſaid; and did acknowledge to be indebted to our Sovereign Lord the King, his Heirs, and Succeſſors, in the Sum of* Fifty Pounds, *to be levied on all and ſingular Lands and Tenements, Goods and Chattels; on the Condition following, That if the above-bounden* A. B. *ſhall, on or before the Day of next, pay, or cauſe to be paid, unto the above-named Commiſſioners, or one of them, the full Sum of current Money of this Colony; as alſo, that he ſhall not, and will not, at any Time hereafter, directly or indirectly, defraud, cheat, or abuſe any Indian or Indians whatſoever, in any Kind or Sort of dealing or trading with them, eſpecially by mixing, or knowing the ſame to have been mixed, or putting Water, or other ſmall Liquors, into any of the Rum or other diſtilled Liquors, he ſhall ſell or truck with them, or any of them, at* Oſwego, *or elſewhere; and ſhall not, or will not, wittingly or willingly, hurt, injure, or in any Wiſe, perſonally abuſe, or miſbehave himſelf towards any of the ſaid Indian or Indians; then this Recognizance to be void, otherwiſe to ſtand and remain in full Force.*

Commiſſioners impower'd to take ſuch Recognizances.

XV. **And be it Enacted** *by the Authority aforeſaid*, That the Commiſſioners of the ſaid Duties, ſhall be, and hereby are fully authoriſed and impowered to take the ſeveral Recognizances, as hereby directed to be taken before them; and that ſuch Recognizance or Recognizances ſhall be as good and effectual in Law, as if the ſame had been before any one of the Juſtices of the Supreme Court in this Colony; any Law or Practice to the contrary in any wiſe notwithſtanding.

All Perſons trading to *Oſwego*, beſide entring into ſuch Recognizances, to have a Certificate from the Commiſſioners, that the Duties are ſecured

XVI. AND, for the more effectual Securing of the Duties impoſed by this Act, on Strouds, Cloaths, Rum, or other diſtilled Liquors, **Be it Enacted** *by the Authority aforeſaid*, That all Perſons, ſending, carrying, or tranſporting the ſaid Goods, or any of them, to *Oſwego*, ſhall, beſides entring into Recognizance for the Duty thereof, take a Certificate from the Commiſſioners of the ſaid Duties, or their Deputies, that the Duties are ſecured of the ſeveral Quantities and Species, to be mentioned therein; and to certify in the ſame, that the

Part

Party has taken the Oath herein after preſcribed; which Certificates the ſaid Commiſſioners, or their Deputy, are hereby required to give; which Certificate or Certificates, are to be produced and delivered to the Commiſſary, or to the commanding Officer at *Oſwego*, for the Time being: And if any Trader, or any other Perſon, ſhall preſume to carry any of the aforeſaid Goods, without ſuch Certificate, or more than ſhall be mentioned therein, the ſame ſhall be forfeited to his Majeſty, his Heirs and Succeſſors; one Half thereof for the Benefit of the ſaid Commiſſary or commanding Officer, or any other Perſon that ſhall ſeize the ſame; and the other Half to, and for the Uſe of the ſaid Trading-Houſe at *Oſwego*; and it ſhall and may be lawful for them, or either of them, to make Seizure accordingly, and to diſpoſe of the Goods ſo ſeized, for the Uſe above-mentioned.

Or forfeit ſuch Goods.

XVII. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Commiſſioners, and each of them, are authoriſed and impowered, and are hereby enjoined and required, before he or they grant ſuch Licence, to adminiſter an Oath unto every ſuch Indian Trader, to the Effect following; *That is to ſay*;

And to take the following Oath.

I A. B. *do ſolemnly ſwear, in the Preſence of Almighty God, (or if a Quaker, ſincerly and truly declare and affirm) that I will not henceforth, at any Time, during the Continuance of my Licence and Abſence from Home, by myſelf, neither ſhall my Agent, Deputy, Factor, or Partner, with my Knowledge or Connivance, ſell or truck, or cauſe to be ſold and trucked, to any Indian or Indians whatſoever, any unmerchantable Rum, or other diſtilled Liquors; nor will I, directly or indirectly, by any Ways or Means whatſoever, knowingly or willingly deceive, defraud, or impoſe upon them, or any of them, by ſelling any unmerchantable Rum, or other diſtilled Liquors, with whom myſelf, or any one for me, ſhall hereafter buy, ſell, truck or traffick, or any-wiſe deal or trade; and I do further ſwear, that of all the Rum, or other diſtilled Liquors, which I ſhall ſend or carry to* Oſwego, *I ſhall enter the full Quantity thereof, with one of the Commiſſioners of the* Oſwego *Duties, or with one of their Deputies:* So help me God.

AND of the Quantity ſo ſworn to, the ſaid Commiſſioners, or the ſaid Deputy, is to allow, Duty free, the *Ten per Cent.* allowed by this Act, for the Uſe herein before-mentioned.

XVIII. **And be it further Enacted** *by the Authority aforeſaid*, That every ſuch Indian Trader, as aforeſaid, ſhall be obliged, and hereby is enjoined, to take the Oath above mentioned, at the ſame Time, he, ſhe, or they, ſhall receive his, her, or their Licence to trade; and if any ſuch Indian-Trader or Traders, ſhall afterwards be convicted, by the Oath of one or more credible Witneſs or Witneſſes, before the ſaid Commiſſioners, or any of his Majeſty's Juſtices of the Peace for the County of *Albany*, who are hereby authoriſed and required to hear and determine the ſame, of a wilful Breach of his ſaid Oath or Affirmation; he or they, ſo convicted, ſhall, by Warrant under the Hand and Seals of the ſaid Commiſſioners, or ſuch Juſtice of the Peace, be immediately committed to the Common Goal of the ſaid County; there to remain, without Bail or Mainprize, for the Time of three Months; and be entirely incapacitated by himſelf, or by any Agent or Agents, directly or indirectly, to deal or trade with the Indians, for the Space of two Years after ſuch Commitment; and ſhall alſo forfeit the Sum of *Twenty-five Pounds* (over and above the Penalty of the ſaid Recognizance) one Half to the Proſecutor, and the other Half to and for the Uſe of the ſaid Trading-Houſe at *Oſwego*; to be ſued for, and recovered before the ſaid Commiſſioners, or any one of his Majeſty's Juſtices of the Peace for the ſaid County of *Albany*, in Manner aforeſaid.

Penalty on Traders found guilty of breaking their Oath.

18th *GEORGE* II. A. D. 1744.

The Commiſſary at *Oſwego*, every Week to prove Liquors ſold to the Indians.

XIX. And to prevent more effectually ſelling of Rum, or other diſtilled Liquors, which are unmerchantable, adulterated, or mixed with Water, to the ſaid Indians, or any of them; **Be it Enacted** *by the Authority aforeſaid*, That from and after the Commencement, and during the Continuance of this Act, it ſhall be lawful, for the Commiſſary reſiding, or to reſide at *Oſwego*, or in his Abſence, for the commanding Officer there; and the ſaid Commiſſary, or commanding Officer, are hereby required, to examine, taſte and prove, once every Week, or oftner, all the Rum, or other diſtilled Liquors, that are, or ſhall be brought to *Oſwego*: And if upon ſuch Examination or Examinations, any ſuch Liquors ſhall be found, that are not really good and merchantable; the ſaid Commiſſary or Officer, is hereby required, to ſeize the ſame; and thereupon immediately take to his Aſſiſtance, two or more credible Traders, to taſte and prove the ſaid Liquors ſo ſeized; and if they find the ſame to be adulterated, or unmerchantable, they are to certify it under their Hands; and thereupon, ſuch Liquor being ſo certified, ſhall be, and hereby is declared forfeited; and the Commiſſary, or commanding Officer, is hereby further required immediately, and in the Preſence of the Traders and Indians, which ſhall then be preſent, to pour out on the Ground, or into the River or Lake, all and every Drop of ſuch forfeited Liquors, whether the ſame be in Cags, or any other Veſſel.

Indians complaining of adulterated Liquor, the Commiſſary to examine it, and cauſe the ſame to be made good.

XX. And to the End, that no unmerchantable Rum, or other diſtilled Liquors, be clandeſtinely or otherwiſe ſold unto the Indians at *Oſwego*; **Be it Enacted** *by the Authority aforeſaid*, That if any Indian or Indians ſhould, during the Continuance of this Act, complain to the Commiſſary, or in his Abſence, to the commanding Officer, that any of our Traders have ſold, or delivered to ſuch Indian or Indians, any Rum, or other diſtilled Liquors, that have been adulterated or unmerchantable; the ſaid Commiſſary, or commanding Officer, ſhall be, and hereby is impowered and required, immediately to taſte, prove, and examine the Rum, or other diſtilled Liquors, ſo complained of, as likewiſe all other Rum, or other diſtilled Liquors ſold to the Indians, and ſuſpected to have been adulterated; and finding the ſame to be unmerchantable, the ſaid Commiſſary, or commanding Officer, is immediately to ſeize the ſame, and to preceed thereon, in the ſame Manner as is above directed; and being certified by the ſaid Traders, that the Rum, or other diſtilled Liquors, ſo ſold or found, are unmerchantable, the ſame ſhall be immediately poured out and deſtroyed, in the Manner as in and by the aforeſaid Clauſe is ordered and directed; and the Trader or Traders, who have ſold or delivered ſuch Rum, or other diſtilled Liquors, ſhall, and hereby are obliged, to deliver unto the Indian or Indians, he or they ſold or delivered ſuch adulterated or unmerchantable Liquors to, a like Quantity of good and merchantable Rum, or other diſtilled Liquors, in Lieu thereof; unleſs the ſaid Commiſſary and Traders, ſhall have good Cauſe to ſuſpect, that ſuch Adulteration was committed after ſuch Liquors were ſold and delivered to the Indians.

The Commiſſary to taſte and prove all the Rum at *Oſwego*.

XXI. And to prevent the Eluding the aforegoing Clauſes, the General Aſſembly pray it may be Enacted; **And be it Enacted** *by the Authority aforeſaid*, That the ſaid commanding Officer ſhall, from Time to Time, permit the ſaid Commiſſary, to examine, taſte, and prove all the Rum, and other diſtilled Liquors, that are, or ſhall be in the Trading-Houſe at *Oſwego*; and upon ſuch Examination, all the Rum, or other diſtilled Liquors, which ſhall be found in the ſame, not to be really good and merchantable, ſhall likewiſe be, and hereby are, declared forfeited; and ſuch Liquor is to be deſtroyed, and proceeded againſt in the ſame Manner, as in the laſt Clauſes is directed.

XXII. And

XXII. AND for the more effectual preventing the Adulterating of Rum, or other diſtilled Liquors, carried or ſold at *Oſwego*; **Be it Enacted** *by the Authority aforeſaid*, That the Perſon or Perſons, in whoſe Poſſeſſion ſuch adulterated or unmerchantable Rum, or other diſtilled Liquors, as aforeſaid, ſhall be found, ſhall forfeit to his Majeſty, his Heirs and Succeſſors, not only the full Sum of what ſuch Quantity of merchantable Rum, or other diſtilled Liquors, ſhall then be ſold for, or valued at *Oſwego*, but likewiſe the further Sum of *Thirty Pounds*, current Money of this Colony; to be recovered and applied in Manner aforeſaid.

Penalty for adulterating Rum &c.

XXIII. AND foraſmuch as ſeveral of the Perſons going to trade with the Indians at *Oſwego*, employ Indian Interpreters, whereby they have the Advantage to ingroſs a great Part of the Trade there, which ought to be of equal Benefit to the Traders in general; **Be it Enacted** *by the Authority aforeſaid*, That if, during the Continuance of this Act, any of the ſaid Traders ſhall employ any Indian Interpreter at *Oſwego*, he or they, ſo employing an Indian Interpreter there, ſhall forfeit for every ſuch Offence, the Sum of *Twenty Pounds*, current Money of this Colony; to be recovered and applied in Manner as aforeſaid.

Traders not to employ Indian Interpreters.

XXIV. AND for the more orderly Managing of the Trade at *Oſwego*; **Be it Enacted** *by the Authority aforeſaid*, That all Perſons going to trade with the Indians at *Oſwego*, ſhall fix their Huts in ſuch Place as the Commiſſary, or in his Abſence, the commanding Officer, ſhall order and direct; and they are hereby required, not to fix them within One Hundred Yards of the ſaid Garriſon; and if any of the ſaid Traders, ſhall build or fix their Huts in any other Place than is hereby directed, every Perſon preſuming to do the ſame, ſhall forfeit the Sum of *Ten Pounds*, to his Majeſty, his Heirs and Succeſſors; and when any Indians are trading at *Oſwego*, the commanding Officer for the Time being, do order one or more Centinels, to prevent all and every of our Traders, from uſing any Manner of Art or Compulſion, to engage or foreſtal the Trade of the ſaid Indians; and if any of the Traders ſhall, notwithſtanding, make Uſe of any ſuch Art or Compulſion, every ſuch Trader, ſhall forfeit the Sum of *Ten Pounds*; and that if any of the Traders ſhall, upon the Appearing of one or more Canoes with Indians on the Lake, go with his or their Canoe or other Veſſel, and ſhall either trade with ſuch Indians, or take their Beaver or other Skins into Poſſeſſion, or hinder ſuch Indians from carrying ſuch Beaver or Skins into their own Huts; all and every of the ſaid Traders, who ſhall uſe ſuch anticipating or compulſive Means, ſhall forfeit the Sum of *Twenty Pounds*, current Money of this Colony; to be recovered and applied in Manner as aforeſaid.

Traders to fix their Huts at ſuch Place as the Commiſſary ſhall direct.

Penalty on Traders uſing Art or Compulſion to foreſtall the Trade.

XXV. **And be it Enacted** *by the ſame Authority*, That the Commiſſary, or in his Abſence, the commanding Officer, ſhall aſſign a Place for the Indians to fix their Huts; and that he uſe all proper Means to prevent the Indians from being ill uſed, or in any Manner of Way compelled to trade, or act contrary to their own Inclinations; and that they be at full Liberty to trade for what, and with whom they pleaſe.

The Commiſſary to prevent the Indians from being ill uſed.

XXVI. AND WHEREAS at the Seaſon of the Year for breaking up the Indian Trade at *Oſwego*, moſt of the Huts or Houſes built at the Expence and Labour of the Traders, which have been left ſtanding at their Departure from thence, and which are neceſſary for carrying on the ſaid Trade, have, before the trading Seaſon of the Year following, been almoſt pulled down and deſtroyed, by the Rudeneſs and Miſbehaviour of ſome of the common Soldiers poſted there; therefore, to prevent ſuch Irregularities for the future, the General Aſſembly pray, that his Excellency the Governor, or Commander in Chief for the Time being,

Traders Huts not to be deſtroy'd in their Abſence.

18th *GEORGE* II. A. D. 1744.

being, would be pleaſed to order and direct the Officer poſted there, to forbid and prevent all and every ſuch common Soldier and Soldiers under his Command, from committing ſuch Outrage and Offences, under ſuch Penalty or Puniſhment as his ſaid Excellency ſhall judge reaſonable to inflict on ſuch Offenders.

Penalty on Perſons who ſhall deſtroy the Trading Houſes.

XXVII. **And be it Enacted** *by the Authority aforeſaid*, That if any other Perſon or Perſons, ſhall burn or deſtroy any of the Trading Houſes, he or they ſhall reſpectively, for every ſuch Offence, forfeit the Sum of *Six Pounds*, current Money of this Colony; to be recovered in Manner aforeſaid, by any Perſon that ſhall ſue for the ſame, before any Juſtice of the Peace within the County of *Albany*; one half of the ſaid Forfeiture, to belong to the Perſon that ſhall ſue for the ſame, and the other half, for and towards ſupporting the Trading Houſe at *Oſwego*.

The Governor to appoint a Commiſſary, at *Oſwego*.

XXVIII. **And be it further Enacted** *by the Authority aforeſaid*, That ſuch Perſon or Perſons, as the Governor or Commander in Chief for the Time being, with the Advice and Conſent of the Council, ſhall nominate and appoint, ſhall be Commiſſary at *Oſwego*, during the uſual Trading Seaſon there.

If ſuch Commiſſary ſhall have a Commiſſion of the Peace, he ſhall have the ſole Determination of all Controverſies relating to the Indian Trade, at *Oſwego*.

XXIX. AND WHEREAS it has been found by Experience, that when a Commiſſary at *Oſwego*, hath been appointed a Juſtice of the Peace, it has contributed very much to the well-regulating the Trade there; the General Aſſembly therefore pray, that the Commiſſary for the Time being, may, by a diſtinct Commiſſion, be appointed a Juſtice of the Peace at *Oſwego*, and the Diſtrict properly belonging to it, during the trading Seaſon there; and that he may have the ſole Inſpection, ordering, and regulating the Indian-Trade, and Traders there, according to the ſeveral Directions in this Act: **Be it therefore Enacted** *by the Authority aforeſaid*, That when the ſaid Commiſſary ſhall be ſo appointed a Juſtice of the Peace, he ſhall, during all the Time he is, or reſides at *Oſwego*, have the ſole Inſpection, ordering, and regulating the Indian-Trade, and Traders, who ſhall be, or come to that Place, and the Diſtrict properly belonging to it, according to the ſeveral Powers and Directions of this Act; and when any Diſpute ſhall happen to ariſe there, between the Traders and the Indians trading with them, he likewiſe ſhall have full Power and Authority to hear and determine the ſame; and his Judgment or Judgments, to be given thereon, ſhall be final, (unleſs otherwiſe provided by this Act) and ſuch Trader or Traders, as ſhall not be concluded thereby, and comply therewith, ſhall forfeit unto his Majeſty, his Heirs and Succeſſors, the Sum of *Ten Pounds*, current Money of this Colony; to be recovered in any Court of Record within this Colony, by Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed; one Half to the Perſon that ſhall ſue for, and proſecute the ſame to Effect; and the other Half for ſupporting the ſaid Trading-Houſe at *Oſwego*; and a Certificate of the Fact, under the Hand and Seal of the ſaid Juſtice of the Peace, ſhall, in this Caſe, be allowed good and ſufficient Proof: And it ſhall and may be lawful alſo, for the ſaid Juſtice to hear and determine Differences between Trader and Traders; and, if the Sum in Controverſy do not exceed *Forty Shillings*, his Judgment thereon, ſhall be final and concluſive to the Parties; but if the Matter in Difference, exceed that Sum, an Appeal ſhall lye, and be allowed of, according to Law.

No Officer or Soldier, poſted at *Oſwego*, permitted to trade.

XXX. **And be it Enacted** *by the Authority aforeſaid*, That neither the commanding Officer, or any other Officer, Drummer, or private Soldier, poſted, or to be poſted at *Oſwego*; or the Commiſſary, or Doctor reſiding there, under Pay or Salary, ſhall trade, directly or indirectly, with the Indians at that

that Place, either on his or their Accompt, or for the Uſe of any other Perſon or Perſons whatſoever; and if ſuch commanding Officer, Commiſſary, or Doctor, or any of them, ſhall, nevertheleſs, preſume to trade with the Indians there, he or they ſo offending, ſhall reſpectively forfeit the Sum of *Fifty Pounds*, to his Majeſty, his Heirs and Succeſſors: And if any Under-Officer, Drummer, or private Soldier, ſhall preſume ſo to trade, all the Goods wherewith he or they ſo trade, or have ſo traded for, ſhall be immediately ſeized by the ſaid Commiſſary, or commanding Officer, or any of the Traders, and be forfeited to his Majeſty, his Heirs and Succeſſors; to be recovered and applied as herein after is directed: And if the ſaid Commiſſary, or, in his Abſence, the commanding Officer, ſhall preſume to compromiſe any of the Offences againſt this Act, whereby the Facts might be ſtifled, he ſhall be liable to forfeit the ſame Fine or Penalty, to which the Party is, or was ſubject *to*, for the Offence ſo compromiſed, or made up with him; and ſuch Making-up ſhall in no wiſe exempt the Offender, from the Fine or Penalty incurred by him.

XXXI. **And be it further Enacted** *by the Authority aforeſaid*, That all and every the Fines, Penalties, and Forfeitures above mentioned, and not otherwiſe provided for in this Act, ſhall and may be recovered by the ſaid Commiſſary, or any other Perſon or Perſons, in any Court of Record within this Colony, by Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed; one Half whereof to and for the Uſe of the Perſon that ſhall ſue for, and proſecute the ſame to Effect; and the other Half to and for, the Uſe and Support of the Trading-Houſe of *Oſwego*.

Fines & Penalties, how recovered.

XXXII. **And be it further Enacted** *by the Authority aforeſaid*, That if the Commiſſary ſo to be appointed to reſide at *Oſwego*, or any of the before named Commiſſioners, or any other Perſon or Perſons, ſhall be ſued, for what he or they ſhall do in the Execution of this Act; he or they may plead the General Iſſue, and give the ſpecial Matter in Evidence, for his and their Excuſe and Juſtification; and if the Plaintiff or Plaintiffs ſhall be non-ſuited, diſcontinue, or withdraw his or their Action or Actions, or if a Verdict paſs againſt him or them, the Defendant or Defendants ſhall recover, and be allowed by the Court, where ſuch Action or Actions ſhall be brought or tried, his or their treble Coſts, which he or they ſhall have ſuſtained, by Reaſon of his or their wrongful Vexation in Defence of ſuch Action or Actions; for which the Defendant or Defendants ſhall have like Remedy, as in other Caſes where Coſts are given or allowed to Defendants.

Perſons ſued, for executing this Act, may plead the General Iſſue.

And where Judgment ſhall paſs for them, they ſhall have treble Coſts.

XXXIII. AND WHEREAS the *Six Nations of Indians* have often, as well in their publick Treaties, as otherwiſe, deſired that no Rum might be carried to their Country, by Reaſon it makes their young Men unruly, and prevents their going to hunt for Beaver; and it being apprehended, that the carrying ſtrong Liquors among them for Sale, may one Time or other, be attended with very pernicious Conſequences; **Be it Enacted** *by the Authority aforeſaid*, That if any of the herein before named Traders, or any other Perſon or Perſons whatſoever, ſhall ſell to the *Six Nations of Indians* in their reſpective Countries, any Rum or other diſtilled Liquors; they ſhall for every ſuch Offence, forfeit the Sum of *Twenty Pounds*, to his Majeſty, his Heirs and Succeſſors, to be recovered upon the Oath of any one credible Witneſs, and applied in the Manner herein mentioned.

No Strong Liquors to be ſold to the Six Nations of *Indians* in their reſpective Countries.

XXXIV. AND WHEREAS the General Aſſembly being very deſirous to ſupport the ſaid Trading-Houſe at *Oſwego*, and to victual the Troops poſted, or to be poſted there, in a good and certain Manner, have made a Contract or Agreement, with *Johan Jooſt Herkeemer*, and *Garrit A. Lanſingh*, in Manner following, *to wit*.

The Commanding Officer at *Oſwego*, on receiving the Proviſions,

That

18th *GEORGE* II. A. D. 1744.

according to Contract made with *J. J. Herkeemer*, and *G. A. Lanſingh*, to certify the Receipt of them.

That they, the ſaid Johan Jooſt Herkeemer, *and* Gerrit A. Lanſingh, *for and in Conſideration of the annual Sum of* Four Hundred and Fifty-ſix Pounds, *current Money of this Colony, have undertaken, for the Term of two Years, to commence from the firſt Day of* November *next, to deliver timely, and at proper Seaſons, at the Trading-Houſe at* Oſwego, *unto the commanding Officer poſted there, for the Time being, in each of the aforeſaid Years, at the ſole Coſt and Charge of the ſaid* Johan Jooſt Herkeemer, *and* Gerrit A. Lanſingh, *the following Quantities of good, ſound, and wholſome Proviſions, which are eſteemed ſufficient to victual the uſual Number of Troops poſted, or to be poſted there; conſiſting of Twenty-five Men and a Doctor, for the Term of Fifty-two Weeks;* That is to ſay; *Wheat Meal, One Hundred and Fifty-ſix Buſhels; Peaſe, One Hundred and Seventeen Buſhels; Indian Corn, Thirty-nine Buſhels; Pork, Three Thouſand two Hundred and Twenty four Pounds; Beef, Four Thouſand Eight Hundred and Thirty-ſix Pounds; Rum, One Hundred and four Gallons; Sugar, One Hundred and four Pounds; and Candles, of Eight and Ten in a Pound, One Hundred and Four Pounds.*

And the ſaid commanding Officer is, upon his receiving the aforeſaid Proviſions, in each of the ſaid two Years, to give a Certificate of the Receipt thereof; wherein is to be mentioned, the particular Quantities and Species, and the Time when the ſame are ſo received; which Certificates are to be Vouchers to the ſaid Victuallers, of their having performed ſuch Part of their Contract.

Recital of their Contract, to ſupply the Troops at *Schenectady*.

XXXV. And for the annual Relief of the before mentioned Troops, to conſiſt of Twenty-five Men, and a Doctor, the ſaid Victuallers are to furniſh at the Town of *Schenectady*, at ſuch proper Time and Seaſon, as the Governor or Commander in Chief for the Time being, ſhall think fit to order and direct, in each of the ſaid two Years, at their own proper Coſts and Charges, the following Species and Quantities of good, ſound and wholeſome Proviſions; *that is to ſay*; Brown Biſket, One Thouſand and Fifty Pounds; Peaſe, Thirteen Buſhels and a Half; Pork, Seven Hundred and Fifty Pounds; and Rum, Twelve Gallons; out of which the Troops going up to relieve the others at *Oſwego*, are to be ſubſiſted at *Schenectady*; the Remainder to be carried with them to *Oſwego*, and out of it to be taken, ſo much as will ſubſiſt the relieved Troops to *Schenectady*; and the Remainder (if any) be left at *Oſwego*: Of all which, a Certificate is to be given by the commanding Officer, in Manner as above-ſaid.

That in Caſe the ſaid Victuallers deliver any Kind of freſh Meat at *Oſwego*, they are to be at the ſole Coſt and Charge, to furniſh Caſk to put it in, and Salt to preſerve the ſame, and to cauſe the ſame to be well preſerved, ſo that it may hold good and ſound a whole Year; and all other Proviſions to be delivered by them, or any of them, to be good in their Kind, and keep good and ſound during the ſaid Space of Time: That they ſhall alſo provide, at their own proper Coſt and Charge, Cags to put the Rum in, and Bags to tranſport the Meal, Peaſe, Corn, Sugar and Bread, to *Oſwego*, during the ſaid two Years.

That they ſhall likewiſe annually, during the ſaid two Years, furniſh at their own Charge, a ſufficient Number of Battoes, not only to tranſport the ſaid Twenty-five Men, and a Doctor, together with their Baggage, but likewiſe provide two able Men to aſſiſt in going to, and coming from *Oſwego*.

That they ſhall alſo annually, during the ſaid two Years, provide at their own proper Coſt and Charge, Waggons to carry the Baggage of the ſaid Twenty-five Men, and a Doctor, from *Albany* to *Schenectady*, and in like Manner from *Schenectady* to *Albany*, when they are relieved as aforeſaid; and alſo to find Sleds, or other Carriages, to tranſport the ſaid Battoes and Baggage, over the Carrying-Places, forward and backward: *Always provided*, That the Soldiers march on Foot between *Albany* and *Schenectady*, and over the Carrying-Places.

That

That all other Coſt and Charges which ſhall ariſe, or may be required, to tranſport the aforeſaid Proviſions, Men and Baggage, either by Land or Water, from *Albany* and *Schenectady*, to *Oſwego*, and back, as aforeſaid; ſhall be altogether born by the ſaid Victuallers, and paid by them.

AND the ſaid Victuallers are obliged, either to give Bond, with ſufficient Securities, or enter into Recognizances, with the like Securities, for the due Performance of all the Particulars undertaken to be performed on their Parts.

XXXVI. AND foraſmuch as it is conceived, that the ſaid Contract will fully anſwer the Ends propoſed by it; **Be it Enacted** *by the Authority aforeſaid*, That the ſame, and every Part thereof, ſhall be, and hereby is ratified and confirmed, to all Intents and Purpoſes whatſoever; and the ſaid Victuallers are hereby required, to enter into ſuch Recognizances, as is before mentioned, before the Commiſſioners aforeſaid; who are hereby authoriſed to take the ſame, within Forty Days after the Commencement of this Act.

The ſaid Contract ratified; and the Victuallers to enter into Recognizance.

XXXVII. AND inaſmuch as Beef and Pork, by being ſalted, loſes conſiderably in Weight; **Be it Enacted** *by the Authority aforeſaid*, That of Beef and Pork to be iſſued weekly to the Troops at *Oſwego*, there ſhall be no more allowed, than fifteen Ounces for every Pound.

15 Ounces of Salt Meat to be a Pound.

XXXVIII. **And be it further Enacted** *by the Authority aforeſaid*, That out of the Money to ariſe by Virtue of this Act, the Sum of *Five Hundred and Seventy-one Pounds*, ſhall be annually paid and applied, for the Term of two Years, from the firſt Day of *November* next, to the firſt Day of *November*, which will be in the Year of our Lord, One Thouſand Seven Hundred and Forty-ſix, for the Uſes and Purpoſes aforeſaid, in Manner herein after mentioned, *that is to ſay*;

£. 571 *per Annum* for two Years to be paid in manner following.

To *Johan Jooſt Herkeemer* and *Gerrit A. Lanſingh*, for the Performance of the aforeſaid Contract, the annual Sum of *Four Hundred and Fifty-ſix Pounds*; which ſaid Sum is to be paid Half-yearly, to the ſaid Contractors, during the Continuance of this Act.

To a Doctor, to reſide and attend on the Troops at *Oſwego*, yearly, a Sum not exceeding the Sum of *Forty-five Pounds*.

To the Doctor, for Medicines for each Year, not exceeding the Sum of *Ten Pounds*.

For Incidents to be paid by the Commiſſioners of the *Oſwego* Duty, and to be accounted for by them, a Sum not exceeding the Sum of *Twenty Pounds*.

To a Commiſſary, for inſpecting and regulating the Traders at *Oſwego*, during the trading Seaſon there, not leſs than four Months, between the Month of *April* and *Auguſt*, the Sum of *Forty Pounds*: Which ſeveral Articles do amount in the Whole, to the aforeſaid Sum of *Five Hundred and Seventy-one Pounds*.

XXXIX. **And be it Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony ſhall, out of the Monies to ariſe by this Act, pay and diſcharge all ſuch Warrants as ſhall be iſſued in Council by Virtue thereof, to ſuch Perſon or Perſons, as the ſame ſhall be made payable to by this Act; and proper Receipts being endorſed thereon, by ſuch Perſon or Perſons, ſhall be a good and ſufficient Diſcharge in Law, to the ſaid Treaſurer, for ſo much as ſhall be mentioned and expreſſed therein; provided the ſame do not exceed the reſpective Sums herein before mentioned.

The Treaſurer to pay ſaid Money.

XL. **And be it further Enacted** *by the Authority aforeſaid*, That of all the ſeveral and reſpective Sums of Money, which the ſaid Treaſurer ſhall receive and pay by Virtue of this Act, he ſhall keep exact and diſtinct Books, and render true Accounts thereof upon Oath, to the Governor for the Time being, to the Council, or to the General Aſſembly, when by them, or any of them, thereunto required.

The Treaſurer to keep exact Books, &c.

18th GEORGE II. A. D. 1744.

In Case of Overplus or Deficiency of Money, how diſpoſed or ſupplied.

XLI. **And be it Enacted** *by the Authority aforeſaid*, That if, on the firſt Day of *November*, in this preſent Year One Thouſand Seven Hundred and Forty-four, there ſhall remain any Overplus of the Money raiſed by the Duties impoſed by any former Acts of the General Aſſembly, on the Trade of *Oſwego*, the ſame ſhall be employed for and towards the Payment of the Charges in this Act before mentioned; and if it appears, that there is any Deficiency, or that the Duties impoſed by the ſaid former Acts of the General Aſſembly, have not been ſufficient to defray the Charges in the ſaid Acts mentioned, the ſame are to be ſupplied out of the Monies, that ſhall ariſe by this Act; any Law, Uſage, or Cuſtom to the contrary thereof, in any wiſe notwithſtanding.

All Recognizances entred into for Duties unpaid, to be of Force, &c.

XLII. **And be it further Enacted** *by the ſame Authority*, That all the Recognizances entred into, as likewiſe all Bills and Bonds entred into, for Duties of Rum or Strouds, by former Acts, which may remain unpaid, are hereby declared to be in full Force and Virtue, to all Intents, Conſtructions, and Purpoſes whatſoever, notwithſtanding the Expiration of the Acts whereby the ſaid Duties have been impoſed; and all ſuch Recognizances, Bills, and Bonds, and likewiſe thoſe to be taken by Virtue of this Act, as ſhall not duly be diſcharged, the ſaid Commiſſioners are hereby required, authoriſed, and impowered, either to put the ſame in Suit, or to ſend them to the Attorney-General, for that Purpoſe.

If any Overplus of Money, ſhall ariſe by the Duties of this Act, the ſame to be repaid to the Exciſe Fund.

XLIII. **And be it Enacted** *by the Authority aforeſaid*, That if the Duties hereby appropriated for the Uſe herein mentioned, ſhall, at the Determination of this Act, exceed the Coſt and Charge of the Supporting the Troops and Houſes at *Oſwego*, and the Contingencies attending the ſame, during that Time; all ſuch Overplus ſhall be employed for, and towards re-paying the Money formerly borrowed from the Exciſe, for that Uſe, as, by Act or Acts of the General Aſſembly, hereafter to be paſſed for that Purpoſe, ſhall be ordered and directed; any Thing herein to the contrary thereof notwithſtanding.

No Strong Liquors to be ſold to Indians, within 4 Miles of Schagkook Church.

XLIV. WHEREAS it is repreſented, that the *Schagkook Indians*, have in their publick Speeches, deſired that no Rum might be ſold to them, at or near their Caſtle; and that the Farmers living thereabouts, are not leſs deſirous of it, becauſe they often ſuſtain conſiderable Damage from the ſaid Indians, when they are intoxicated with Strong Liquors; **Be it further Enacted** *by the Authority aforeſaid*, That every Perſon and Perſons, who ſhall preſume to ſell or diſpoſe of any Rum, or other diſtilled Liquors, during the Continuance of this Act, to any Indian or Indians, within four Miles Diſtance round the Church at *Schagkook*, ſhall for every ſuch Offence, forfeit to his Majeſty, his Heirs and Succeſſors, the Sum of *Twenty Pounds*, current Money of this Colony; to be recovered in any Court of Record within the ſame; one half whereof to the Perſon or Perſons who ſhall ſue for, and proſecute the ſame to Effect, and the other half, to be paid to the Treaſurer of this Colony to and for the Support of the Trading Houſe at *Oſwego*.

Continuance of this Act.

XLV. **And be it Enacted** *by the ſame Authority*, That this Act ſhall be and remain of Force, from the firſt Day of *November*, in this preſent Year One Thouſand ſeven Hundred and Forty-four, until the firſt Day of *November* which will be in the Year One Thouſand ſeven Hundred and Forty-ſix.

CHAP. DCCLXV.

Expired the 1ſt of *November*, 1745.

An ACT *to let to farm the Exciſe on Strong Liquors retailed in this Colony from the firſt of* November, *One Thouſand ſeven Hundred and Forty-four, to the firſt Day of* November, *One Thouſand ſeven Hundred and Forty-five.*

Paſs'd the 1ſt of September, 1744.

CHAP.

18th *GEORGE* II. A. D. 1744.

CHAP. DCCLXVI.

An ACT *for the ſpeedy Puniſhing and Releaſing ſuch Perſons from Impriſonment, as ſhall commit any criminal Offences, under the Degree of Grand Larceny.*

Paſs'd the 1ſt of September, 1744.

Preamble.

WHEREAS ſeveral diſorderly Perſons inhabiting within this Colony, as alſo many vagrant Perſons paſſing thro' the ſame, have often committed divers Miſdemeanors, Breaches of the Peace, and other criminal Offences, under the Degree of Grand Larceny; who not being able to procure Bail to appear at the General Seſſions of the Peace, and have no Subſtance of their own, have been a great Expence to ſuch Counties, where ſuch Offenders were committed, in maintaining them in Goal, until the General Seſſions of the Peace; whilſt at the ſame Time, their long Impriſonment hath been a great Damage to their Families, who wanted their Labour to ſupport them; and after all that Expence, have often found Means to eſcape their deſerved Puniſhment; for Remedy whereof,

In what Caſe Offenders to be tried by Juſtices.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That from and after the firſt Day of *December* next, if any Perſon or Perſons within this Colony, (except within the City and County of *New-York*) ſhall commit any Miſdemeanor, Breach of the Peace, or other criminal Offence, under the Degree of Grand Larceny, and being taken and committed for the ſame, to the common Goal, or to the Cuſtody of the Conſtable of any of the Towns, Manors or Precincts within this Colony, where ſuch Offender or Offenders ſhall be taken, and being kept in the ſaid Goal, or in the Cuſtody of ſuch Conſtable as aforeſaid, the full Space of Forty eight Hours, from and after ſuch Commitment, ſhall not give good and ſufficient Bail for his, her or their Appearance, at the then next General Seſſions of the Peace, to be held for the County, where ſuch Offender ſhall be in Cuſtody; then and there to anſwer the Offence or Offences, wherewith he, ſhe or they ſhall be charged; then and in ſuch Caſe, it ſhall and may be lawful to and for the Juſtice of the Peace, who committed ſuch Offender or Offenders, with the Aſſiſtance of two other Juſtices of the Peace of ſuch County, (one whereof to be of the *Quorum*) to whom he ſhall certify the Cauſe of ſuch Commitment, and require them by Virtue of this Act, to aſſociate themſelves with him; which they are hereby required to do: And ſaid Juſtices being ſo met, are hereby authoriſed to hear and determine forth-with the Offence or Offences, committed by the ſaid Offender or Offenders, as aboveſaid; and the ſaid Offender or Offenders, being convicted by Confeſſion, or by the Oath of one or more credible Witneſs, the ſaid Juſtices, or two of them agreeing, are hereby further authoriſed to give Judgment againſt them, to have ſuch corporal Puniſhment (not extending to Life or Limb) as they in their Diſcretion ſhall think proper; and by their Warrant, directed to the Conſtable of the Town, Manor or Precinct, where they hear and determine the ſaid Offence or Offences, ſhall cauſe their ſaid Judgment to be put in Execution: And after ſuch Offender or Offenders, ſhall have received his, her or their Puniſhment, being an Inhabitant or Inhabitants of ſuch County, ſhall be immediately diſcharged without paying any Fees; but being not an Inhabitant or Inhabitants of ſuch County, he, ſhe or they ſhall be tranſported by Warrant from the ſaid Juſtices, to the Place of his, her or their laſt Settlement or Place of Abode, or out of this Colony; which Warrant the ſaid Juſtices are hereby impowered and directed to iſſue.

And in what Manner.

18th *GEORGE* II. A. D. 1744.

Charge of Proſecution, &c. to be defrayed by the County.

II. **And be it further Enacted** *by the Authority aforeſaid*, That the Charges of proſecuting, puniſhing and tranſporting ſuch Offender or Offenders as aforeſaid, in the Manner above mentioned, ſhall be defrayed, by the reſpective County or Counties, where the ſame ſhall ſo happen, and ſhall be raiſed, levied and paid, in the ſame Manner, as their other reſpective County Charges, ſo as the whole Charge, for each ſuch Offender exceed not the Sum of *Forty Shillings*.

Juſtices may fine Perſons inſtead of inflicting a Corporal Puniſhment.

III. **And be it further Enacted** *by the Authority aforeſaid*, That the Juſtices, before whom any Perſon or Perſons ſhall be convicted, of any of the aforeſaid Offences, ſhall be and are hereby impowered, if they think it proper, in lieu of corporal Puniſhment, to impoſe a Fine on ſuch Offender or Offenders, not exceeding the Sum of *Three Pounds*; which Fine, or ſo much thereof as ſhall be ſufficient, ſhall be applied towards Payment of the Charges of the Proſecution, and the Remainder, if any be, ſhall be paid to the Treaſurer of the County, where the ſame ſhall be impoſed, for the Uſe of the ſaid County; any Thing in this Act to the contrary notwithſtanding.

CHAP. DCCLXVII.

An ACT *for the ſpeedy Puniſhing and Releaſing ſuch Perſons from Impriſonment, as ſhall commit any criminal Offences, in the City and County of* New-York, *under the Degree of* Grand Larceny.

Paſs'd the 1ſt of September, 1744.

Preamble.

WHEREAS not only ſeveral diſorderly Perſons, inhabiting in the City of *New-York*, but many vagrant and idle Perſons, paſſing through the ſame, from the neighbouring Counties and Colonies, have often committed divers Miſdemeanors, Breaches of the Peace, and other criminal Offences under the Degree of *Grand Larceny*; who not being able to procure Bail, to appear at the General Quarter Seſſion of the Peace, then next to be held for the ſaid City and County, and having no Subſtance of their own, have been a great Expence to the Inhabitants thereof, in maintaining them in the mean while in Goal; whilſt at the ſame Time their long Impriſonments, have been a great Damage to many of their Families, who wanted their Labour to ſupport them; and after all that Expence, have often found Means to eſcape their deſerved Puniſhment:

Offenders under the Degree of Grand-Larceny, who cann't give Bail, to be tried by the Mayor and Aldermen.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That ſuch Perſon or Perſons as ſhall, after the firſt Day of *December*, in this preſent Year One Thouſand Seven Hundred and Forty Four, commit any Miſdemeanor, Breach of the Peace, or other criminal Offence, under the Degree of *Grand Larceny*, within the City and County of *New-York*, and being taken and committed to the common Goal of the ſaid City, ſhall not within Forty eight Hours, from and after ſuch Commitment, give good and ſufficient Bail for his, her or their Appearance, at the then next General Quarter Seſſions of the Peace, to be held for the ſaid City and County, then and there to anſwer the Offence or Offences he, ſhe or they, ſhall be charged with; then and in ſuch Caſe, it ſhall and may be lawful, to and for the Mayor, Deputy Mayor, Recorder and Alderman, for the Time being, or any three of them, whereof the Mayor, Deputy Mayor or Recorder to be one, forthwith to hear and determine, the Offence or Offences, committed by ſuch Offender or Offenders as aboveſaid; and the ſaid Offender or Offenders, being convicted by Confeſſion or by the Oath of one or more or credible Witneſs; the ſaid Magiſtrates, or the ma-

major Part of them, and if only three appear, any two of them agreeing, are hereby authoriſed to give Judgment, againſt the ſaid Offender or Offenders, ſo convicted as aforeſaid, to have and receive ſuch corporal Puniſhment, (not extending to Life or Limb) as they in their Diſcretion ſhall think proper; which ſaid Judgment, they are to cauſe to be put in Execution, by the publick Whipper of the ſaid City, or by any other Perſon that will undertake the ſame: And after the ſaid Offender or Offenders, ſhall have received his, her or their Puniſhment, being an Inhabitant or Inhabitants of the ſaid City and County, ſhall be immediately diſcharged without paying any Fees; but not being ſuch an Inhabitant or Inhabitants, he, ſhe or they, ſhall immediately be ordered out of the ſaid City and County, to the Place of his, her or their laſt Settlement or Abode, or out of this Colony: And if any Perſon or Perſons having been ſo ordered, and commanded out of the ſaid City and County, as aforeſaid, ſhall remain in the ſame, for the Space of Forty eight Hours, or return thereto, within ſix Months after ſuch Order or Command; ſuch Perſon or Perſons ſo remaining or returning, ſhall be forthwith apprehended, and again receive ſuch corporal Puniſhment, as the ſaid Magiſtrates in their Diſcretion, ſhall order and direct (not extending to Life or Limb) as aforeſaid.

Who may inflict a corporal Puniſhment.

And may if the Offender is not an Inhabitant, order him out of the City and County.

II. **Be it further Enacted** *by the ſame Authority*, That the Charges of proſecuting, and puniſhing each ſuch Offender as aforeſaid, in the Manner abovementioned, ſhall be raiſed, levied and paid in the Manner, and at the ſame Time, that Money is raiſed in the City of *New-York*, for the Maintenance of the Miniſter and Poor of the ſaid City, ſo as the whole Charge, for proſecuting and puniſhing each ſuch Offender, exceed not the Sum of *Twenty Shillings*.

Charge of Proſecution to be defrayed by the City.

III. **And be it further Enacted** *by the ſame Authority*, That this Act ſhall be deemed, taken and eſteemed, a publick Act, and allowed and admitted as ſuch, in all Courts of Record, and by all Judges and Juſtices of the Peace, and all other Officers within this Colony.

This Act to be deemed a publick Act.

CHAP. DCCLXVIII.

An ACT *to explain an Act, entitled,* An *Act* to prolong the Currency of Bills of Credit emitted by Virtue of an Act, entitled, *An* Act *for emitting Bills of Credit for the Payment of the Debts, and for the better Support of the Government of this Colony; and for other Purpoſes therein mentioned.* Paſs'd the 1ſt of September, 1743.

See Chap. 745.

Preamble.

WHEREAS one Act, paſſed in the Eleventh Year of His Majeſty's Reign, entitled *An* † Act *for emitting Bills of Credit for the Payment of the Debts, and for the better Support of the Government of this Colony, and other Purpoſes therein mentioned*, as alſo, one other Act, paſſed in the ſaid Eleventh Year of his Majeſty's Reign, entitled, *An* ‡ Act *to facilitate and explain the Duty of the Loan-Officers in this Colony*, were, by a ſubſequent Act, paſſed in the Seventeenth Year of his Majeſty's Reign, entitled, *An* Act *to prolong the Currency of Bills of Credit, emitted by virtue of an Act, entitled, An* Act *for emitting Bills of Credit for the Payment of the Debts, and for the better Support of the Government of this Colony, and other Purpoſes therein mentioned*, Enacted to continue and remain of full Force and Virtue, to all Intents, Conſtructions, and Purpoſes whatſoever, until the third *Tueſday* in the Month of *April*, which will be in the Year of our Lord, One Thouſand Seven Hundred and Fifty four. AND WHEREAS by the ſaid ſubſequent Act, no Power was given to the Loan-Officers, to alter the Form of the Mortgages preſcribed by the aforeſaid

† Chap. 666.

‡ Chap. 667.

18th GEORGE II. A. D. 1744.

aforeſaid Act, entitled, *An* Act *to facilitate and explain the Duty of the Loan-Officers in this Colony*, from whence many Inconveniences may ariſe: For preventing whereof,

Loan-Officers may alter the Form of Mortgages.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the Loan-Officers of the ſeveral Cities and Counties, within this Colony, for the Time being, ſhall be and hereby are, fully impowered and authoriſed, to alter the Form of all ſuch Mortgages, as ſhall by them or any of them, hereafter be taken in any of their Offices, in Relation to the Time and Times of Payment, in ſuch Manner as to make the ſame anſwerable to the true Intent and Meaning, of the before mentioned ſubſequent Act; any Thing in any of the above-mentioned Acts, to the contrary notwithſtanding.

CHAP. DCCLXIX.

An ACT *for recovering Arrearages of Taxes and Rates, in the City and County of* Albany.

Paſs'd the 1ſt of September, 1744.

Preamble.

WHEREAS ſome of the Collectors of the City and County of *Albany*, who have had the collecting of the Taxes or Rates thereof, having got the Money into their Poſſeſſion, have converted great Part thereof to their own private Uſes, who have not Eſtate to make Reparation; by which Means Deficiences have happened: For Remedy whereof,

Deficiences that may happen in collecting Taxes, to be added to the next enſuing Tax.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That in all Caſes, where Collectors in the City and County of *Albany*, have kept back or converted to his or their own Uſe, the Whole or Part of ſuch Taxes or Rates, which he or they have been, or ſhall hereafter be, impowered to collect, and that the ſame cannot be recovered from the Collector, who committed the Fraud or Frauds, or from his or their Heirs, Executors and Adminiſtrators, within four Months after the ſame ought to have been paid; then, and in ſuch Caſe, the Superviſor or Superviſors, or ſuch other Perſon or Perſons, who did lay any original Tax or Rate, or ſhall hereafter lay the ſame, in which ſuch Embezzlements, as aforeſaid, have happened, or ſhall hereafter happen, ſhall be, and hereby are fully authoriſed, impowered and required, to add, in the next ſucceeding Tax or Rate, of the ſame Nature, to the Quota or Aſſeſſment of ſuch Ward, Manor, or Precinct, reſpectively, as do and ſhall appear to be ſo in Arrear of former Taxes or Rates, as aforeſaid, ſo much as their reſpective Deficiency ſhall amount to; which being ſo added to the ſaid Quota, is to be collected therewith, and paid in the ſame Manner, and to the ſame Uſe and Uſes, as in the original Tax or Rate is, or ſhall be, directed.

Superviſors and Collectors enjoined to comply with this Act.

II. AND, that this Act may be duly obſerved and complied with, **Be it further Enacted** *by the Authority aforeſaid*, That the ſaid Superviſor or Superviſors, or ſuch other Perſon or Perſons who laid ſuch Tax or Rate, as well as the Collectors of the ſaid City and County, ſhall be, and hereby are, ſtrictly charged and enjoined to comply with the Directions of this Act; and in Default thereof, they, and each of them, reſpectively, ſhall be ſubject and liable to the ſame Fines and Penalties, as in ſuch Caſes are provided by the ſeveral Acts, by Virtue of which any former Taxes or Rates have been laid or aſſeſſed.

III. And

III. **And be it Provided and Enacted** *by the ſame Authority*, That whatever new Levies ſhall be made by Virtue of this Act, inſtead of the Deficiences which have been, or ſhall be occaſioned by the Default of Collectors, in Manner as aforeſaid; the Collector who did, or ſhall commit ſuch Frauds, or make ſuch Default, and his and their Heirs, Executors, and Adminiſtrators, ſhall be, and hereby are made liable and ſubject, to make the ſame good to the Perſon or Perſons damnified thereby; to be recovered, with full Coſt, in any Court of Record within this Colony, by Action of Debt, in which no Eſſoin, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed.

18th *GEORGE* II. A. D. 1744.

Fraudulent Collectors to make good the Deficiencies, to the Perſons damnified.

CHAP. DCCLXX.

An ACT *to amend Part of an Act, entitled,* || An *Act* further to fortify the City of *Albany*, and Town of *Schenectady*; and for raiſing the Sum of *Four Hundred and Fifty Pounds*, to defray the Expences thereof.

|| Chap. 743. Obſolete.

Paſs'd the 1ſt of September, 1744.

CHAP. DCCLXXI.

An ACT *for the better regulating the Militia of this Province.*

Continued Chap. 814.

Paſs'd the 21ſt of September, 1744.

CHAP. DCCLXXII.

An ACT *to continue an Act, entitled,* An *Act* for mending and keeping in Repair, the publick Wells and Pumps, in the City of *New-York.*

See Chap. 719.

Paſs'd the 21ſt of September, 1744.

WHEREAS an Act, entitled, *An* Act *for mending and keeping in Repair, the publick Wells and Pumps, in the City of* New-York, paſſed in the fifteenth Year of his preſent Majeſty's Reign, will expire, by its own Limitation, on the twenty-ſeventh Day of *November*, now next enſuing; and the ſaid Act having been found very uſeful in Caſes of Fire, as well as very convenient for the Inhabitants of the ſaid City;

Preamble.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the above-mentioned Act, entitled, *An* Act *for mending and keeping in Repair, the publick Wells and Pumps in the City of* New-York, be further continued; and every Article, Clauſe, and Thing therein contained, to be of Force, from the aforeſaid twenty-ſeventh Day of *November*, One Thouſand ſeven Hundred and Forty-four, to the twenty-fifth Day of *December*, which will be in the Year One Thouſand ſeven Hundred and Fifty-four.

CHAP. DCCLXXIII.

An ACT *to amend Part of an Act for regulating the Payment of his Majeſty's Quit-Rents; and for Partition of Lands in order thereto, ſo far as the ſame relates to the Partition of Lands.*

Repealed by the Lords Juſtices, the 23d of *May*, 1745.

Paſs'd the 21ſt of September, 1744.

CHAP.

18th *GEORGE* II.
A. D. 1744.

CHAP. DCCLXXIV.

An ACT *to prevent the Deſtruction of Sheep by Dogs.*

Paſs'd the 21ſt of September, 1744.

I. BE it Enacted *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That if any Dog or Dogs ſhall, from and after the firſt Day of *December* next, kill or deſtroy any Sheep or Lambs, within this Colony, the Maſter or Miſtreſs of ſuch Dog or Dogs, ſhall be liable to pay the Owner or Owners of ſuch Sheep or Lambs, ſo deſtroyed, the full Value thereof; to be recovered before any one of his Majeſty's Juſtices of the Peace, of the County where ſuch Offence ſhall be committed, who is hereby fully impowered, authoriſed, and required to hear, and finally to determine the ſame; and upon Non-Payment thereof, within three Days after, Judgment ſhall be given, to iſſue his Warrant to the next Conſtable, to deſtrain on the Offender's Goods and Chattels, ſo much as may be ſufficient to diſcharge the ſaid Judgment, with the Charges ariſing thereby; and the ſame to ſell at publick Vendue, returning the Overplus (if any be) to the Owner or Owners thereof; and if there be no Goods whereon to make Diſtreſs, then to commit the Owner or Owners, of ſuch Dog or Dogs, to the Common Goal, there to remain ten Days, without Bail or Mainprize; unleſs he, or ſhe, ſooner pay or ſatisfy the Judgment, with the Coſt, as aforeſaid: And if the Maſter or Miſtreſs of ſuch Dog or Dogs, do not, within forty-eight Hours after Judgment ſo given againſt him or her, kill, or cauſe to be killed, ſuch Dog or Dogs, he or ſhe ſhall be further liable to the Penalty of *Twenty Shillings*; to be recovered in Manner as aforeſaid, to, and for the Uſe of any Perſon or Perſons, who will ſue for the ſame.

The Owner of any Dog who ſhall kill Sheep, to pay the Damage, and cauſe his Dog to be killed.

II. Provided always, and it is hereby further Enacted, That it ſhall and may be lawful for the Plaintiffs or Defendants in ſuch Suit, to have a Jury to try the ſame, if either of them ſhall deſire it, at the proper Coſts and Charges of ſuch of the Parties, as ſhall requeſt the ſame: Such Jury to conſiſt of ſix Men, being Freeholders.

A Jury may be called to try ſuch Caſes.

III. And be it further Enacted *by the Authority aforeſaid,* That it ſhall and may be lawful for any Perſon or Perſons whatſoever, within this Colony, who ſhall ſee any Dog or Dogs, chaſe, worry, or wound any Sheep or Lambs, to kill and deſtroy ſuch Dog or Dogs; and if ſuch Perſon do not, or cannot kill or deſtroy ſuch Dog or Dogs, he ſhall give Notice thereof, to the Maſter or Miſtreſs of ſuch Dog or Dogs; who, if the ſaid Dog or Dogs be not killed, within forty-eight Hours thereafter, ſhall forfeit the Sum of *Twenty Shillings*; to be recovered and applied in Manner as aforeſaid. *Provided always,* That Nothing in this Act contained, ſhall debar any Shepherd, from keeping one or more Dogs, to drive or turn Sheep under his Care; nor any other Perſon from making Uſe of his Dog or Dogs, to drive his own Sheep, in any of his incloſed Lands; any Thing herein contained to the contrary notwithſtanding.

Any Perſon may kill Dogs that ſhall chace Sheep, &c.

CHAP. DCCLXXV.

An ACT *to raiſe and collect in this Colony, the Sum of* Three Thouſand and two Hundred Pounds, *for putting it in a proper Poſture of Defence; and for diſcharging the ſeveral Services which the preſent State of Affairs makes it neceſſary to provide for.*

Obſolete.

Paſs'd the 21ſt of September, 1744.

CHAP.

18th GEORGE II. A. D. 1744.

CHAP. DCCLXXVI.

An ACT *to authoriſe the Juſtices of the Peace, in the Counties of* Dutcheſs *and* Orange, *in their General Seſſions, to direct ſo many other Conſtables and Overſeers of the Highways to be choſen, in the ſeveral Precincts, as to them ſhall ſeem meet.*

Paſs'd the 21ſt of September, 1744.

WHEREAS moſt of the Precincts, in the Counties of *Dutcheſs* and *Orange*, have annually elected Conſtables, and ſome others have not, by Reaſon of a Diſpute that hath lately ariſen, among the Inhabitants thereof, that the Court of General Seſſions have no Power, whereby to allow ſo many Conſtables, to be yearly elected and choſen, in the ſeveral Precincts, as is thought neceſſary; for remedying whereof,

Preamble.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after the Publication of this Act, it ſhall and may be lawful, for the Juſtices of the Peace, in the ſaid Counties of *Dutcheſs* and *Orange*, at their General Seſſions, to order and direct the Inhabitants, in their reſpective Precincts, at their annual Meetings, to chuſe ſo many Conſtables, in the reſpective Counties aforeſaid, as the ſaid Juſtices, in the General Seſſions, ſhall judge proper: And further; at their annual Meetings, in the County of *Dutcheſs*, to chuſe ſo many Overſeers of the Highways, as the ſaid Juſtices, in their Seſſions, ſhall think neceſſary.

Inhabitants of *Dutcheſs* and *Orange*, to chuſe as many Conſtables as the Juſtices ſhall direct, and in *Dutcheſs* as many Overſeers of Highways, as the Juſtices ſhall think neceſſary.

CHAP. DCCLXXVII.

An ACT *for the Relief of the Poor, in the Counties of* Suffolk *and* Orange.

Paſs'd the 21ſt of September, 1744.

Expired 1ſt of *November*, 1746.

CHAP. DCCLXXVIII.

An ACT *further to continue an Act, entitled,* An *Act* for and towards ſupporting the Government of this Colony, by granting to his Majeſty the Duties therein mentioned, from the firſt Day of *December*, One Thouſand ſeven Hundred and Forty, to the firſt Day of *December*, One Thouſand ſeven Hundred and Forty-one.

Paſs'd the 21ſt of September, 1744.

See Chap. 741. Continued Chap. 803.

CHAP. DCCLXXIX.

An ACT *to continue an Act, entitled,* An *Act* to reſtrain Hawkers and Pedlars, within this Colony, from ſelling without Licence.

Paſs'd the 21ſt of September, 1744.

See Chap. 691. Expired, 1ſt of *December*, 1751. But continued to 1ſt *January*, 1760, by an *Act* paſs'd the 25th of *November*, 1751. after the Paſſing of Chap. 907 for Reviſing the Laws.

CHAP. DCCLXXX.

An ACT *for the better clearing and further laying out publick High-Roads in* Dutcheſs *County.*

Paſs'd the 21ſt of September, 1744.

ALTHOUGH all or moſt of the publick High-Roads, are already laid out and aſcertained, in *Dutcheſs* County, it may, nevertheleſs, be neceſſary to lay out ſome other High-Roads in the ſaid County, for the Conveniency of Carriage and Travellers: And whereas the Act for laying out Roads in the ſaid County, is near expired by its own Limitation;

Preamble.

18th *GEORGE* II. A. D. 1744.

Commiſſioners appointed to regulate Highways in *Dutcheſs* County.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after the firſt Day of *December*, One Thouſand ſeven Hundred and Forty-four, the Perſons herein after named, ſhall be, and hereby are appointed Commiſſioners, to regulate the High-Ways, and to lay out ſuch other publick Roads and High-ways, as may ſtill be neceſſary, within the ſaid County; and they, and each of them, are hereby fully authoriſed and impowered, to put in Execution, the ſeveral Services intended by this Act, in ſuch Precincts and Places only, for which they ſhall be reſpectively named and appointed; *That is to ſay*; For the South Precinct, *Adolph Philipſe*, Eſq; *Thomas Davenport*, and *James Dickenſon*, jun. For Beekman Precinct, *Henry Beekman*, *Gilbert Livingſton*, and *James Duncan*: For Rombout Precinct, *William Verplank*, Eſq; *Cornelius Loeſey*, and *Ezekiel Maſten*: For Poughkeepſigh Precinct, *John Konklin*, *Giſbert Peclen*, and *Abraham Frere*, jun. For Cromelbow Precinct, *Jacobus Stoutenberg*, *Mordecai Liſter*, and *Johannes Wilſey*: For Rynbeck Precinct, *Henry Beekman*, *Jacob Rutſen*, and *Andrew Heerman*: For the North Precinct, *Joſiah Roſs*, *Johan Tis Smith*, and *John Sacket*.

The Commiſſioners impowered to lay out new Roads, &c.

II. **And be it Enacted** *by the Authority aforeſaid,* That the Commiſſioners, or the major Part of them, in their reſpective Precincts, for which they are named and appointed Commiſſioners, are hereby authoriſed and impowered, to regulate the Roads already laid out, and to lay out ſuch other publick Roads, in the ſeveral Precincts, for which they are appointed Commiſſioners, as to them, or the major Part of them, ſhall ſeem neceſſary and convenient; and if Need be, to take a Review of the Roads already laid out; and ſuch of them as appear to be really inconvenient, the ſaid Commiſſioners, appointed for the ſeveral Precincts, if they think it neceſſary, ſhall lay out ſuch other publick Roads, as they, or the major Part of them, ſhall think moſt convenient for Travellers and Inhabitants of the next adjacent Precincts, to Mills, Markets, or common Landing-Places. *Provided,* That Nothing in this Act contained, ſhall extend, or be conſtrued to impower the Commiſſioners aforeſaid, to alter any Road that is already commodious, or to lay the ſame through incloſed or improved Lands, without the Conſent of the Owner or Owners thereof, or paying them the true Value of the Lands, ſo laid into an Highway; and if any Diſpute ſhall ariſe by that Means, the ſame ſhall be determined, and the true Value ſet and appraiſed by two Juſtices of the Peace, and by the Oath of ſeven of the principal Freeholders of the Neighbourhood, not having any Intereſt in the Land about which ſuch Diſpute may ariſe; the Freeholders to be ſummoned by the Sheriff, by Virtue of a Warrant, to be iſſued by the ſaid two Juſtices, for that Purpoſe; and ſuch Determination ſhall be final and concluſive thereon.

No Trees to be girdled in any High-Road.

III. And whereas many Trees ſtanding girdled along the High-Roads, and by Winds, fall therein, to the great Danger of Travellers and Inhabitants; **Be it therefore Enacted** *by the ſaid Authority,* That no Perſon, for the Future, whatſoever, ſhall girdle any Tree or Trees, ſtanding in, or along any of the Roads within the ſaid County, ſo that, by ſuch Girdling, the ſame may fall in or over any publick High-Road, under the Penalty of *Three Shillings*, for every Tree ſo girdled, as aforeſaid.

Roads not to be ſtopt up without Conſent of the Commiſſioners.

IV. **And be it further Enacted** *by the Authority aforeſaid,* That if any Perſon or Perſons ſhall hereafter, without the Conſent of the Commiſſioners, or the major Part of them, for ſuch Precincts for which they are, by this Act, appointed Commiſſioners, alter, ſtop up, or leſſen any Highway or Road, that heretofore hath been laid out by former Commiſſioners; ſuch Perſon or Perſons ſo offending, contrary to the Meaning of this Act, ſhall, for every ſuch Offence,

Offence, forfeit the Sum of *Forty Shillings*, current Money of this Colony; to be recovered before any two Juſtices of the Peace, upon the Oath of any two or more credible Witneſſes, and ſhall be levied by Warrant from any two or more Juſtices of the Peace, directed to the Conſtable of ſuch Precinct where ſuch Offence ſhall be committed, by deſtraining the Goods and Chattels of the Offenders; and the ſaid Conſtable, after ſix Days publick Notice given by him, of the ſaid Diſtreſs, ſhall make Sale thereof; and out of the Produce, pay the Forfeiture and Charges, and return the Overplus (if any be) to the Owner or Owners; which ſaid Forfeiture of *Forty Shillings*, ſhall be applied, by the Surveyors of the High-ways, for and towards repairing the publick Roads or Bridges, within the Precinct where ſuch Forfeiture ſhall ariſe.

Breadth of publick Roads thro' incloſed Lands.

V. **And be it further Enacted** *by the Authority aforeſaid*, That if any common Publick Road or High-way, ſhall be laid through any Meadow-Ground or Corn Field, the Breadth of the ſaid Roads ſhall be left to the Diſcretion of the Commiſſioners, or the major Part of them, for any Precinct or Place, where ſuch Road ſhall run as aforeſaid, not exceeding the Breadth of four Rods, or leſs than two.

The Inhabitants to keep all publick Roads in Repair.

VI. **And be it further Enacted** *by the Authority aforeſaid*, That the Inhabitants of the reſpective Precincts, by and through, which any common Publick High-ways or Roads, have or ſhall hereafter be aſcertained or laid out, ſhall be and hereby are obliged to clear and maintain the ſame, by cutting and ſtubbing up the Bruſh, and lopping off the Limbs of the Trees, that hang over the ſaid Roads, and pulling up the Stones that can be moved, and to carry them out of the Road the Breadth of one Rod at leaſt; and ſo often as the ſaid Inhabitants, or any of them, ſhall have Notice from any one of the reſpective Commiſſioners or Overſeers of the High-ways for the Time being, they ſhall, in their Turn, either by themſelves, or by able Slaves or Servants, clear and amend the High-ways, not exceeding ſix Days in the Year; under the Penalty of *Three Shillings*, for each Day, every Perſon or Perſons ſhall neglect or refuſe ſuch Service; to be levied by the Conſtable in each Precinct, by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant from the Overſeer of the Highways for the Time being, in each reſpective Precinct, where ſuch Offence ſhall be committed, returning the Overplus of ſuch Sale (if any be) to the Owner or Owners, the Conſtable being firſt paid for his Pains and Trouble, out of Diſtreſs and Sale, as is uſual in the like Caſes.

Trees on the Lands of Perſons thro' which Roads ſhall be laid out, reſerved to the Owners of thoſe Lands, &c.

VII. **Provided always, and it is hereby further Enacted** *by the Authority aforeſaid*, That all Trees ſtanding or lying in any Perſons Lands, through which, any common Publick High-way or Road is or ſhall be laid out, be for the proper Uſe of the Owners of the ſame; but the ſaid Owners ſhall not hinder the Publick from making Uſe of ſo much Timber, which is ſtanding or lying on that Road, as will amend the ſaid High-way or Bridges leading through that Land; and if no Timber can be found upon ſaid Road, within a Mile from ſuch Bridge or Bridges, it ſhall and may be lawful for the Inhabitants of ſuch Precinct or Precincts, to go upon the Grounds next adjoining, and there cut and carry away, ſo much Timber as will make or amend ſuch Road or Bridges.

In what Places ſwinging Gates may be allowed.

VIII. **And be it further Enacted** *by the ſame Authority*, That where any High-way from any Neighbourhood or Precinct, to any Mills, Meadows or common Landing, ſhall run through any particular Perſon's Ground; it ſhall and may be lawful for ſuch Perſon or Perſons, by and with the Approbation of any two Commiſſioners, for ſuch Precinct or Neighbourhood, to hang good Swinging-Gates, on ſuch High-ways, and he, ſhe or they, to keep

18th *GEORGE* II. A. D. 1744.

them in Repair at their own Coſt: *Provided*, no Road leading into or out of any Woods or Commons, where the Cattle belonging to any Neighbourhood uſually paſs through, to or from the Commons or feeding Ground, ſhall be clogged or hindred by any Swinging-Gates, unleſs by the Conſent of the major Part of the Inhabitants of ſuch Neighbourhood; and the ſame High-ways ſhall be amended and maintained by the Inhabitants only of every ſuch Precinct or Neighbourhood, where ſuch Ways are or ſhall run.

No Perſons to ſtake open Gates, to the Damage of the Proprietors thereof.

IX. **And be it further Enacted** *by the ſame Authority*, That in Caſe any Perſon or Perſons, ſhall ſtake or ſhore open, any ſuch Gate or Gates, as aforeſaid, or otherwiſe ride over or through any Land, Meadow-Ground or Corn Fields, to the Damage of the Owners thereof; ſuch Perſon or Perſons, ſhall for every ſuch Offence, forfeit the Sum of *Six Shillings*; to be recovered and applied by the Overſeers of the Highways, in each reſpective Precinct, where ſuch Offence ſhall be committed, towards repairing the publick High-ways, and pay all ſuch Damages with Coſt, to the Owner of the Soil, or the Tenant ſhall ſuffer or ſuſtain thereby, as ſhall be ordered and awarded, by any one or more Juſtices of the Peace, reſiding near to the Place, where ſuch Offence ſhall be committed; and the Determination of ſuch Juſtice, ſhall be final and concluſive therein.

A Team equal to two Men's Work.

X. **And be it further Enacted** *by the Authority aforeſaid*, That if the Overſeers of the High-ways and Roads ſhall think fit, and have Occaſion of any Team, Cart or Waggon, and a Man to manage the ſame; the ſaid Team, Cart or Waggon, ſhall be eſteemed to be for, and in lieu, of two Days Work of one Man, and the Fine to be proportionable, *that is*, double to the Fine to be impoſed for the Neglect of one Perſon; and every Workman ſhall be obliged to bring ſuch Tools, as Spades, Axes, Crows, Pick-Axes or other Utenſils, as ſhall be directed by the Overſeers of the High-ways.

The Vacancy of the Commiſſioners to be ſupplied by an Election, made by the Juſtices in Seſſions.

XI. **And be it further Enacted** *by the Authority aforeſaid*, That if any of the Commiſſioners hereby appointed, ſhall neglect, refuſe or delay, to put the ſeveral Clauſes in Execution, which are mentioned and expreſſed, as their Duty in this Act, if thereunto required, or ſhall happen to die or remove out of the Precinct, for which he or they are appointed Commiſſioners; it ſhall and may then be lawful for the Juſtices of the Peace, in the Seſſions to be held for the ſaid County, to appoint in his or their Stead, another Commiſſioner or Commiſſioners, in ſuch Place or Places, where ſuch Refuſal, Neglect, Death or Removal ſhall happen; which Commiſſioner or Commiſſioners ſo appointed, ſhall be under the ſame Reſtrictions, and have the ſame Power and Authorities, as thoſe named and appointed by this Act.

All Roads laid out or altered to be enter'd on Record.

XII. **And be it further Enacted** *by the Authority aforeſaid*, That the Commiſſioners for each reſpective Precinct for which they are nominated, or the major Part of them, ſhall, from Time to Time, during the Continuance of this Act, enter, in Writing, all the High-Roads or Ways by them laid out, altered, or ſtopped up, and ſign thereto; and cauſe the ſame to be entered in the County Records, by the Clerk of the Peace, who is hereby directed and required to record the ſame; and whatſoever the ſaid Commiſſioners ſhall do, according to the Power given them by this Act, being ſo entered in the County Records, ſhall be deemed valid and good, to all Intents and Purpoſes whatſoever.

Commiſſioners Fees.

XIII. **And be it further Enacted** *by the ſame Authority*, That each Commiſſioner appointed, or to be appointed, by Virtue of this Act, ſhall have, take, and receive, a Sum not exceeding *Six Shillings*, each Day, as a Reward for his and their Care and Trouble, in laying out and regulating the High-ways, in each

reſpective Precinct, for which they are ſeverally appointed; which ſaid Reward or Wages, ſhall not be a County Charge, but ſhall be defrayed by each Precinct, as they are joined in this Act; payable in the ſame Manner, as ſuch Wages uſually are, or ought to be paid.

XIV. **And be it further Enacted** *by the Authority aforeſaid*, That upon the Ordering of any one or more Juſtices of the Peace, or any one or more of the Commiſſioners within the Precinct, for which he or they are appointed as aforeſaid, the Overſeers of the Precinct, ſhall and do, within ſix Days thereafter, warn and ſet at work the reſpective Inhabitants, to mend and repair the King's Roads and Bridges, which by Law and Cuſtom they are obliged at repair; and if the Overſeers ſhall neglect or refuſe to warn, and ſet to work, the Inhabitants as aforeſaid, and ſee the ſaid Roads, Bridges and Highways amended and repaired; ſuch Overſeer or Overſeers ſhall for every ſuch Neglect or Refuſal, forfeit or pay a Fine of *Forty Shillings*; to be recovered before any one Juſtice of the Peace, of the ſaid County, upon the Oath of any one or more credible Witneſſes, or on the View of ſuch Juſtice, or on the View of any one of the Commiſſioners, within his or their Diſtrict, in the common and uſual Method; which Monies ſhall be applied towards repairing the ſaid High-ways or Roads, in ſuch Precinct wherein the Fine did ariſe.

The Overſeers to warn and ſet the Inhabitants to work on Roads, or forfeit 40*ſ.*

XV. **Provided always, and it is hereby further Enacted** *by the Authority aforeſaid*, That no Overſeer ſhall be hereby impowered to command or compel any Inhabitants of the aforeſaid Precincts, to work upon any publick Road in Time of Harveſt, without ſpecial Occaſion.

In Time of Harveſt, none to be compel'd to work on Roads.

XVI. **Provided alſo, and it is hereby further Enacted** *by the Authority aforeſaid*, That where the Inhabitants of a ſmall Neighbourhood, or Plantation, ſhould deſire to have a publick Road laid out; the Commiſſioners aforeſaid, ſhall not be allowed to lay out ſuch and ſo many Roads, as the ſaid Inhabitants ſhould be deſirous to have, but only one publick Way, leading from ſuch Neighbourhood, or Plantation, to the neareſt publick High-Road, from whence they can travel or tranſport to other Mills or Landing-Places; and where it ſhall be neceſſary to lay out a Road, from one Precinct to another, as they are joined, in the beſt and ſtreighteſt Manner; the Commiſſioners (in ſuch Caſe) of both ſuch Precincts, are to meet and conſult where ſuch Road can be laid out moſt commodious, and to lay out the ſame accordingly, to the End ſuch Road may not only correſpond with ſuch other, but be laid out and carried on in the moſt convenient Manner the Nature of the Land will allow.

Only one publick Road to be laid out at the Deſire of a ſmall Neighbourhood.

CHAP. DCCLXXXI.

An ACT *for ſecuring his Majeſty's Government in* New-York.

Paſs'd the 21ſt of September, 1744.

Expired the 21ſt *September*, 1745.

CHAP. DCCLXXXII.

An ACT *to alter the Time of electing Veſtry-Men and Church-Wardens, in* Richmond *County.*

Paſs'd the 21ſt of September, 1744.

Preamble.

WHEREAS by an Act of the General Aſſembly of this Colony, entitled, *An* † Act *for Settling a Miniſtry, and raiſing a Maintenance for them, in the City of* New-York, *County of* Richmond, Weſtcheſter *and* Queens *County*; paſſed in the fifth Year of their late Majeſties WILLIAM *and* MARY,

† Chap. 36.

18th *GEORGE* II. A. D. 1744.

MARY, the Time appointed for the electing of Veſtry-Men and Church-Wardens, is the ſecond *Tueſday* in the Month of *January*, yearly; which Seaſon of the Year being generally wet, and often cauſes the Roads in the ſaid County to be almoſt impaſſable, and thereby the Election becomes extremely difficult to the Inhabitants of the ſaid County; for Remedy whereof,

The Election of Veſtry-Men, &c. to be on the third Tueſday of *March*.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That inſtead of the ſecond Tueſday in *January*, the Election for Veſtry-Men and Church Wardens, in the ſaid County of *Richmond*, ſhall hereafter be on the third Tueſday in the Month of *March*, yearly; and the Juſtices of the ſaid County, are hereby impowered and directed, to iſſue their Warrants to the Conſtables, to ſummon the Freeholders to meet together, on the third Tueſday of *March*, yearly, to make the ſaid Election; and the Veſtry-Men and Church Wardens ſo elected, ſhall be and hereby are veſted, with the ſame Powers and Authorities, as if they had been actually elected, on the ſecond Tueſday in *January*, any Thing in the aforeſaid Act to the Contrary notwithſtanding.

Who ſhall be ſubject to the like Fines as in Chap. 36, &c.

II. **And be it further Enacted** *by the Authority aforeſaid*, That the ſeveral Juſtices, Church Wardens, Veſtry-Men and Conſtables, of the ſaid County for the Time being, and all other Perſons whatſoever, ſhall be ſubject to the ſame Fines, Penalties and Forfeitures, as in and by the ſaid recited Act, or any ſubſequent Act, they are made liable to, for any Omiſſion or Neglect of Duty, thereby required to be done and performed, by them, or any of them reſpectively.

CHAP. DCCLXXXIII.

Expired 1ſt of *December*, 1745.

An ACT *for paying out of the Funds appropriated for Support of this Government, the Salaries and Services therein mentioned.*

Paſs'd the 21ſt of September, 1744.

CHAP. DCCLXXXIV.

An ACT *to eſtabliſh the Rates to be taken for Wharfage of Ships, and other Veſſels, uſing the three Wharfs therein mentioned.*

Paſs'd the 21ſt of September, 1744.

Preamble.

WHEREAS the Owners and Proprietors of the Wharf, called *Burnet's-Key*, in the City of *New-York*, have, by their Petition, preſented to the General Aſſembly, ſet forth, that an Act, entitled, *An* Act *for regulating the Rates to be taken for Ships, and other Veſſels, uſing the Wharf called* Burnet's-Key, *in the City of* New-York, paſſed in the eighth Year of his Majeſty's Reign, will expire, by its own Limitation, on the firſt Day of *December* next enſuing; and therefore humbly prayed, the ſame might be continued for a longer Term of Years; with ſuch other Additions and Regulations, as to the ſaid Aſſembly ſhould ſeem meet. And whereas the Owners and Proprietors of another Free Wharf, between the *Great Slip* and *Coentjes-Dock*, in the *Dock Ward*; and the Owners and Proprietors of one other Free Wharf between the *Smith-Fly Slip* and *Burling's-Slip*, in the *Eaſt Ward* of the ſaid City, have, by their reſpective Petitions to the ſaid Aſſembly, humbly prayed that they may be intitled to the like Wharfages, and be under the ſame Regulations, as the Proprietors of *Burnet's-Key* are now, or ſhall be intitled unto. And whereas the ſeveral Requeſts above-mentioned, are conceived reaſonable. And that the Wharfage of all the aforeſaid Wharfs, may be put upon the ſame Footing, and under one and the ſame Regulations;

I. Be

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful to, and for the preſent Owners and Proprietors of the three before-mentioned Wharfs, or the Owners and Proprietors thereof for the Time being, ſo far as the ſame front the *Eaſt-River*, to demand, take, and receive, for, and to their reſpective Uſe and Uſes, for all Ships and Veſſels, uſing the ſame, from and after the firſt Day of *December*, in this preſent Year One Thouſand ſeven Hundred and Forty-four, the Wharfage and Rates following; *That is to ſay*;

Wharfage to be paid for Veſſels upwards of 60 Tons.

For each Ship, Brigantine, Sloop, Scooner, or other Veſſel, of ſixty Tons, or upwards, whilſt careening, loading, or unloading at the ſaid Wharfs, every Day, the Sum of *Six Shillings*, current Money of this Colony.

For each ſuch Veſſel, not loading, unloading, or careening, but lying faſt to the ſaid Wharfs, under a Week, after the Rate of *Two Shillings* for each Day.

For every Day more than a Week, *One Shilling and Six-pence*.

II. **Be it Provided and Enacted**, That all ſuch Veſſels, only lying faſt to the ſaid Wharfs, ſhall move off, at any Time, to ſuffer a Veſſel to load, unload, or careen; on Failure whereof, after Requeſt, they ſhall pay ſuch Rates, afterwards, for the Uſe of the ſaid Wharfs, as the Veſſel would have paid, which was really and *bona fide*, intended to be loaden, unloaden, or careened there.

Veſſels only faſt at ſaid Wharffs, to remove for others to load and unload &c.

III. **Be it further Provided and Enacted**, That all Veſſels, which ſhall make faſt to Veſſels that are faſtened to the Wharfs, and ſhall ſo lie faſtened, or load, unload, or careen, ſhall pay half the Rates; as if they were faſtened to the Wharfs, or there loaded, unloaded, or careened.

Rates for Veſſels making faſt to others.

IV. **And be it further Enacted**, That all Veſſels under ſixty Tons Burthen; and of twenty-five Tons, and upwards; ſhall pay, for lying faſt, and for loading, unloading, and careening, one Half of the Rates, for the Purpoſes herein before mentioned. And all Veſſels under twenty-five Tons, for lying faſt, or loading, unloading, or careening, one fourth Part of the Rates for the Purpoſes herein before-mentioned.

Rates for Veſſels under 60 Tons.

V. **Be it further Provided and Enacted**, That all coaſting Veſſels, not being actually loading, unloading, or careening, ſhall, upon Requeſt, move off and ſuffer any Sea-Veſſel, or Veſſels, paying a higher Rate, to come in her Place; on Failure whereof, ſuch Veſſel ſhall afterwards pay ſuch Rate and Rates, as the Veſſel would have paid, which was really and *bona fide*, intended to be loaded, unloaded, or careened there.

Small Veſſels to give place to larger, or pay large Rates.

VI. AND WHEREAS it would be very difficult, for the Owners and Proprietors of the three Wharffs above mentioned and deſcribed, perſonally to collect and receive the ſaid Wharfage; **Be it Enacted** *by the Authority aforeſaid*, That it ſhall and may be lawful, to and for the Owners and Proprietors for the Time being, or the major Part of each, of the ſaid three Wharffs reſpectively, to depute and appoint, from Time to Time, either one of their own Number, or ſome other proper Perſon, to be the Wharfinger or Overſeer thereof; and ſuch Wharfinger ſhall have the ordering and regulating of the Wharff, he ſhall ſo be appointed for as aforeſaid, and of the Births of the Ships and Veſſels that ſhall load, unload, careen at, or faſten to the ſame, and full Power to demand and receive the Wharfage thereof; and if the ſaid Wharfage ſhall not be paid on Demand, for the Ship or Veſſel that ſhall ſo uſe ſuch Wharff, after *he* ſhall hauled from the ſame, or before *ſhe* departs out of this Harbour, either according to the Rates before mentioned, or according to ſuch eſpecial Agreement, as may have been made between him and ſuch Maſter; the ſame ſhall and

A Wharfinger may be appointed to collect the Rates.

18th *GEORGE* II. A. D. 1744.

and may be recovered before any one Juſtice of the Peace, upon the Oath of any one or more credible Witneſſes; provided the Sum ſo demanded, or ſued for, doth not exceed the Sum of *Forty Shillings*. And all the Wharfage which ſhall be received and recovered, by every one of the ſaid Wharfingers, by Virtue of this Act, ſhall be for the Benefit of the Owners and Proprietors, of the reſpective Wharffs, at which the ſame ſhall become due, to whom he or they, ſhall annually be accountable, and anſwerable for the ſame.

Wharffs not to be incumber'd.

VII. AND WHEREAS the before mentioned Wharffs, are often ſo incumbred by Lumber, Mill-ſtones and other Merchandize, that it incommodes the Loading and Un-loading of Veſſels, and the Paſſing and Re-paſſing of Carts on them; **Be it therefore further Enacted** *by the Authority aforeſaid*, That if any of the ſaid Wharffs, ſhould at any Time or Times, be ſo incumbred, the Wharfinger of ſuch Wharff and Wharffs, ſhall and may warn and order the Owner and Owners of ſuch Goods, to remove them from thence, within a reaſonable Time; and if ſuch Goods ſhall not be removed accordingly, it ſhall be lawful for ſuch Wharfinger, to ſummons the Owner or Owners thereof, before the Mayor, Recorder, or any one Alderman of the City of *New-York*; who, upon Proof made before him, that ſuch Warning had been given, and that ſuch Incumbrances remained on the ſaid Wharff or Wharffs, longer than he ſhall judge a reaſonable Time for their Removal; he ſhall and may award ſuch Fine on the Owner or Owners of them, as he in his Diſcretion ſhall think meet, not exceeding the Sum of *Six Shillings*; always excepted, the Appurtenances of Veſſels careening at ſuch Wharffs; *provided*, the ſame ſhall be removed within a reaſonable Time after ſhe or they ſhall have been careened.

This Act not to impair the Rights of the City of *New-York*.

Continuance of this Act.

VIII. **Provided alſo, and be it Enacted** *by the ſame Authority*, That nothing herein contained, ſhall impair the Right which the Mayor, Aldermen and Commonalty of the City of *New-York*, have to the Dock, and to the ſeveral Slips herein before mentioned, but the ſame ſhall be ſaved to them and their Succeſſors, as fully as if this Act had not paſſed. This Act to be and continue of Force, from and after the aforeſaid firſt Day of *December*, in this preſent Year, until the firſt Day of *December*, which will be in the Year One Thouſand Seven Hundred and Fifty-four.

CHAP. DCCLXXXV.

Expired 1ſt of *December*, 1750.

An ACT *to lay a Duty on empty Caſks, not made in this Colony, that ſhall be imported in the City of* New-York.

Paſs'd the 21ſt of September, 1744.

CHAP. DCCLXXXVI.

Obſolete.

An ACT *for raiſing the Sum of* Three Hundred Pounds, *for finiſhing and completing the Fortifications in the City of* Albany.

Paſs'd the 21ſt of September, 1744.

CHAP. DCCLXXXVII.

Private.

An ACT *for naturalizing* Iſaac Abrahams *and* Peter De Wint.

Paſs'd the 21ſt of September, 1744.

CHA

18th *GEORGE* II. A. D. 1745.

CHAP. DCCLXXXVIII.

An ACT *to re-pay the Sum of* Two Hundred and Seventy Pounds, *advanced by ſeveral Perſons, for the Services therein mentioned.*

Private.

Paſs'd the 14th of May, 1745.

CHAP. DCCLXXXIX.

An ACT *to allow a Premium to ſuch Privateers as ſhall, during this preſent War, take or deſtroy any Enemies Privateers, between the Places therein mentioned.*

This Act loſt its Effect at the End of the War with France *and* Spain.

Paſs'd the 14th of May, 1745.

CHAP. DCCXC.

An ACT *to prevent the Running-away of Slaves, out of the City and County of* Albany, *to the* French *at* Canada.

Expired at the End of the *French* War.

Paſs'd the 14th of May, 1745.

CHAP. DCCXCI.

An ACT *to revive an Act, entitled,* An *Act* to oblige all Perſons that ſhall come to inhabit or reſide in the City of *New-York*, in order to expoſe any Goods, Wares, or Merchandizes, to Sale, at any Time after the annual Aſſeſſment, made for the Tax, for the Maintenance of the Miniſter and Poor of the ſaid City, to pay their due Proportions toward the ſame.

See Chap. 718.

Paſs'd the 14th of May, 1745.

Preamble.

WHEREAS an Act, entitled, *An* Act *to oblige all Perſons that ſhall come to inhabit or reſide in the City of* New-York, *in order to expoſe any Goods, Wares, or Merchandizes, to Sale, at any Time after the annual Aſſeſſment, made for the Tax, for the Maintenance of the Miniſter and Poor of the ſaid City, to pay their due Proportions toward the ſame*, paſſed in the fifteenth Year of his preſent Majeſty's Reign, did expire, by its own Limitation, on the twenty-fifth Day of *March laſt*; and the ſaid Act having been found to have eaſed the Inhabitants of this City: And it being conceived juſt and reaſonable, that all Perſons, having the Benefit of trading, ſhould alſo contribute their Proportion of the ſaid Tax;

I. **Be it therefore Enacted** *by the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the above-mentioned Act, entitled, *An* Act *to oblige all Perſons, that ſhall come to inhabit or reſide in the City of* New-York, *in order to expoſe any Goods, Wares, or Merchandizes, to Sale, at any Time after the annual Aſſeſſment, made for the Tax, for the Maintenance of the Miniſter and Poor of the ſaid City, to pay their due Proportions toward the ſame*, ſhall be, and hereby is revived; and every Article and Clauſe therein contained, to be of Force, from the Publication hereof, to the Twenty-fifth Day of *March*, which will be in the Year of our Lord One Thouſand ſeven Hundred and Fifty-five.

19th *GEORGE* II. A. D. 1745.

The Eighteenth ASSEMBLY.

FIRST SESSIONS.

CHAP. DCCXCII.

Repealed by § 6, in Chap. 900.

An ACT *for the Paying of* Five Thouſand Pounds *towards the Expedition carrying on againſt* Cape-Breton.

Paſs'd the 6th of July, 1745.

CHAP. DCCXCIII.

Obſolete.

An ACT *for erecting and repairing Fortifications within this Colony; for defraying the Charge of ſeveral Services; for the Defence and Security of the ſame; and other Purpoſes therein mentioned.*

Paſs'd the 6th of July, 1745.

CHAP. DCCXCIV.

See Chap. 664.

An ACT *to continue an Act, entitled,* An *Act* to prevent Damages *by Swine in the County of* Orange, *and ſome Parts of* Ulſter *County; and for repealing all other Acts concerning the ſame, within the ſaid County of* Orange.

Paſs'd the 29th of November, 1745.

Preamble.

WHEREAS an Act, entitled, *An* Act *to prevent Damages by Swine in the County of* Orange, *and ſome Parts of* Ulſter *County; and for repealing all other Acts concerning the ſame, within the ſaid County of* Orange, will expire, by its own Limitation, the firſt Day of *November*, in this preſent Year of our Lord One Thouſand ſeven Hundred and Forty-five; and the ſaid Act having by Experience, been found to be very beneficial to the ſaid Counties;

I. **Be it therefore Enacted** *by the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the above-mentioned Act, ſhall be, and hereby is continued until the firſt Day of *November*, which will be in the Year of our Lord One Thouſand ſeven Hundred and Fifty-five.

CHAP. DCCXCV.

See Chap. 686. Continued Chap. 888.

An ACT *to amend an Act, entitled,* An *Act* for the better clearing, regulating, and further laying out publick High-ways, in the County of *Suffolk*.

Paſs'd the 29th of November, 1745.

Preamble.

WHEREAS in the Act, entitled, *An* Act *for the better clearing, regulating and further laying out publick Highways in the County of* Suffolk, paſſed in the ſixth Year of his preſent Majeſty's Reign; and by one other Act, entitled *An* Act *to continue an Act, entitled,* An *Act* for the the better clearing, regulating, and further laying out publick High-ways in the County of *Suffolk, with ſome Additions thereto,* paſſed in the thirteenth Year of his ſaid Majeſty's Reign

19th GEORGE II. A. D. 1745.

Reign, continued until the firſt Day of *December*, which will be in the Year One Thouſand ſeven Hundred and Fifty, no Proviſion is made, in Caſe no Goods and Chattels are to be found, whereon to make Diſtreſs, for the Forfeitures therein mentioned;

Where there are Forfeitures, and no Goods can be found, the Offender to be committed for two Months.

I. **Be it therefore Enacted** *by the Governor, Council, and General Aſſembly, and by the Authority of the ſame*, That it ſhall and may be lawful, for the Perſon or Perſons, before whom any ſuch Forfeiture ſhall be recoverable, purſuant to the ſaid Act or Acts, in Caſe no Goods or Chattels are to be found, on which to deſtrain for the ſame, to commit the Offender or Offenders to Goal, without Bail or Mainpriſe, for the Space of two Months, unleſs the ſaid Forfeiture be ſooner paid. This Act to be and remain of Force, until the firſt Day of *December*, which will be in the Year of our Lord One Thouſand ſeven Hundred and Fifty.

CHAP. DCCXCVI.

An ACT *to reſtrain unlawful and diſorderly Gaming-Houſes in the Colony of* New-York.

Paſs'd the 29th of November, 1745.

Preamble.

WHEREAS Gaming in the Colony of *New-York*, at Taverns, and other publick Houſes, for Monies or Strong Liquors, hath, by fatal Experience, been found to be attended with many evil Conſequences, not only by corrupting and vitiating the Manners of many of the People of the ſaid Colony, encouraging them to Idleneſs, Deceit, and many other Immoralities; but hath moreover a manifeſt Tendency to the Ruin of many:

No Tavern-keeper to keep Gaming-Tables under Penalty of £. 20.

I. **Be it therefore Enacted** *by the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That if any Tavern-keeper, Inn-keeper, Alehouſe-keeper, Victualler, or Ordinary-keeper, within the ſaid Colony, from and after the Twenty-fifth Day of *December* now next coming, ſhall keep or have any common Billiard-Table, Truck-Table, or Shuffleboard-Table; and ſhall thereat permit, countenance, or ſuffer any Perſon or Perſons whatſoever, to play or game, either by Day or Night, contrary to the Form and Effect of this Act; every ſuch Perſon ſo keeping and having ſuch common Billiard-Table, Truck-Table, or Shuffleboard-Table, and ſhall permit or ſuffer the playing thereon, as aforeſaid, ſhall, for every ſuch Offence, forfeit and pay the Sum of *Twenty Pounds*, current Money of this Colony; to be recovered by Bill, Plaint, or Information, in any Court of Record within this Colony, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be allowed.

Nor ſuffer Youth, Servants, *&c.* to game in their Houſes, on Penalty of £. 3.

II. **And be it further Enacted** *by the Authority aforeſaid*, That if any Tavern-keeper, Inn-keeper, Alehouſe-keeper, Victualler, or Ordinary-keeper, or any other Perſon or Perſons whatſoever, who do commonly uſe ſelling of Wine, Ale, Beer, Brandy, Rum, or any other Sort of Strong Liquors, ſhall, after the ſaid twenty-fifth Day of *December*, permit, countenance, or ſuffer in their Houſes, or Apartments belonging thereto, any Youths under the Age of twenty-one Years, or any Apprentice or Apprentices, Journeymen, Servant or Servants, or common Sailors whatſoever, to play or game at or with Cards or Dice, ſhall, for every ſuch Offence, forfeit and pay the Sum of *Three Pounds*, current Money of this Colony; to be recovered in Manner as aforeſaid.

19th *GEORGE* II. A. D. 1745.

No Youths under 21 Years of Age, nor Servants to game, on Penalty of 5*l*.

III. **And be it further Enacted** *by the ſame Authority*, That no Youths under the Age of twenty-one Years, or any Apprentice, Journeyman, Servant, or common Sailor whatſoever, ſhall, from the ſaid twenty-fifth Day of *December*, play at Cards or Dice, at or in any Tavern, Inn, or Ale-houſe, or where any Sort of Wine, Ale, Beer, Brandy, Rum, Cyder, Flip, Punch, or any other Sort of Strong Liquors are uſually ſold, under the Forfeiture of *Six Shillings*, for every Offence; to be recovered before any Juſtice of the Peace where the Offence ſhall be committed, by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, with reaſonable Coſts and Charges; and for want of ſufficient Diſtreſs, the Offender or Offenders, ſhall be committed to the common Goal, for the Space of ſix Days, unleſs the Fine or Fines, Forfeiture or Forfeitures, be ſooner paid, with Coſts.

Penalties in this Act, how to be recovered and diſpoſed of.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That all and every the Penalties and Forfeitures, Sum and Sums of Money, which ſhall happen, at any Time or Times hereafter, to be incurred and forfeited, by Virtue of this Act, ſhall be diſpoſed of in Manner following; *That is to ſay*; One Half thereof to the Informer, who ſhall proſecute and ſue for the ſame to Effect; and the other Half to the Uſe of the Poor of the City, Town, County, or Precinct, in which the Offence ſhall be committed.

CHAP. DCCXCVII.

Obſolete.

An ACT *for raiſing in the South Part of* Orange *County, a Sum not exceeding* One Hundred Pounds, *for finiſhing and compleating the Court-Houſe and Goal in* Orange *Town.*

Paſs'd the 29th of November, 1745.

CHAP. DCCXCVIII.

Expired 1ſt of *November*, 1746.

An ACT *to let to farm the Exciſe on Strong Liquors retailed in this Colony, from the firſt of* November, *One Thouſand Seven Hundred and Forty-five, to the firſt Day of* November, *One Thouſand Seven Hundred and Forty-ſix.*

Paſs'd the 29th of November, 1745.

CHAP. DCCXCIX.

See Chap. 198, ante, *to prevent the Removal of Actions.*

An ACT *to amend the Practice of the Law, and to regulate the giving of Special Bail.*

Paſs'd the 29th of November, 1745.

Preamble.

WHEREAS divers Laws have been paſſed in this Colony, for the Amendment and better Regulation of the Law, and for the Eaſe and Quiet of his Majeſty's Subjects; which, nevertheleſs, have not had that good Effect which was intended by the Makers thereof;

All Actions under £. 20, to be commenced in the Inferior Courts, & not to be removed into the Supreme Court.

I. THE **General Aſſembly** therefore humbly pray it may be **Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That from and after the Publication of this Act, no Perſon whatſoever, by him, or herſelf, or by his, or her Council or Attorney, ſhall commence any Suit or Action, by Bill or Plaint, or in any other Manner whatſoever, upon Bond, Obligation, or penal Bail, or on any other Matter or Thing whatſoever; or ſhall purſue or proſecute any ſuch Bill, Plaint, Action or Suit, where the Sum mentioned in the Condition of ſuch Specialties, with the Intereſt thereof, or the Matter or Thing in Demand, Suit or

or Controverſy, do not exceed the Sum of *Twenty Pounds*, current Money of this Colony, in any Courts of Law within the ſaid Colony, except the Courts of the Mayors and Aldermen in the Cities of *New-York* and *Albany*, the Borough of *Weſtcheſter*, and the Court of Common-Pleas of the ſeveral Counties in this Colony; and when any ſuch Suit or Action is commenced in any ſuch Court, as is aforeſaid, that it ſhall not be lawful for any Perſon or Perſons whatſoever, either by him, her or themſelves, or by his, her or their Council or Attorney, or by any other Ways or Means whatſoever, to remove ſuch Suit or Action, ſo commenced in any of the aforeſaid Courts, to the Supreme Court.

Attornies of the Supreme Court may commence Actions in any Inferior Court.

II. **And be it further Enacted** *by the Authority aforeſaid*, That all and every the Attornies of the Supreme Court, may commence and proſecute any Action or Suit, for his or their Clients, in any Inferior Court within this Colony; any Law, Uſage or Cuſtom to the contrary notwithſtanding *.

Penalty for commencing in, or removing any Action under 20*l.* into the Supreme Court.

III. **And be it further Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons whatſoever, either by him, her or themſelves, or by his, her or their Council, or Attorney, ſhall commence any ſuch Suit, Cauſe or Action, as aforeſaid, in any other Court of Law, than the Inferior Courts before mentioned, or ſhall ſue forth any Writ of *Habeas Corpus*, or any other Writ or Writs whatſoever, or any Inſtrument, Authority or Command, under any Denomination whatſoever (except Writs of Error after Judgment given in the Inferior Courts) whereby to call any ſuch Cauſe, Suit, Action or Plea thereon had, to the Supreme Court aforeſaid; ſuch Perſon or Perſons, his, her or their Council or Attorney, ſo commencing any ſuch Suit, Cauſe, or Action, in any Court of Law, but the Inferior Courts aforeſaid, or ſo ſuing forth ſuch Writ of *Habeas Corpus*, or any other Writ or Writs whatſoever, or any other Inſtrument, Authority or Command, under whatſoever Denomination the ſame may be, and proceeding thereon, by producing the ſame to any Inferior Court or Courts aforeſaid, by him, her, or themſelves, or by his, her, or their Council or Attorney (except as is before excepted) ſhall, for every ſuch Offence, done contrary to the true Intent and Meaning of this Act, forfeit the Sum of *Twenty Pounds*, to our Sovereign Lord the King, his Heirs and Succeſſors; *one* Half whereof to the Support of the Government in this Colony, and the *other* Half to any Perſon who ſhall ſue for the ſame, in any of the Inferior Court or Courts aforeſaid, by Bill, Plaint, or Information, wherein no Eſſoin, Protection or Wager of Law, nor any more than one Imparlance ſhall be allowed.

Penalties and Forfeitures of this Act, to be ſued for in no other Courts than the Inferior Courts,

And Suits brought for them, ſhall not be removed into the Supreme Court.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That the Penalty or Penalties, Forfeiture or Forfeitures, by this Act laid, directed and enjoined, ſhall not be ſued for, or recovered in any other Court, than the Inferior Courts aforeſaid; and if any Perſon or Perſons whatſoever, either by him, her or themſelves, or by his, her or their Council or Attorney, ſhall ſue forth any Writ of *Habeas Corpus*, Writ of Error, or any other Writ or Writs whatſoever, or any other Inſtrument, Authority or Command, under whatſoever Denomination the ſame may be, and proceeding thereon, and producing the ſame in any of the ſaid Inferior Courts, in order to remove to the Supreme Court aforeſaid, any Action, Cauſe or Writ, brought by Bill, Plaint or Information, in any of the ſaid Inferior Court or Courts, for Recovery of the Penalty or Penalties, Forfeiture or Forfeitures, by this Act laid, directed and enjoined; ſuch Perſon or Perſons, or his, her or their Council or Attorney, producing ſuch Writ of *Habeas Corpus*, Writ of Error, or other Writ or Writs, or any other Inſtrument, Authority or Command, of the Purpoſe and Import before expreſſed, and to the End and Intent before mentioned; ſhall be committed to the

* *Licence given to the Attornies of the Supreme Court, to practice in the Mayor's Court of* New-York, *by* Chap. 824. Sect. 2. poſt.

19th GEORGE II. A. D. 1745.

the common Goal of the City, County or Borough, for which ſuch Court is held, by the Juſtices or Judges of the Court then ſitting, where ſuch Writ of Error, *Habeas Corpus*, or other Command, Inſtrument or Authority, iſſuing from, or returnable to the Supreme Court aforeſaid, ſhall be produced, there to remain for the Space of *Six Months*, without Bail or Mainprize; and ſuch Commitment to be made a Rule of the ſaid Court. *Provided Nevertheleſs*, That this Act ſhall not extend to any Action, where Titles of Land or Tenements are in Queſtion, altho' the Value in Diſpute be leſs than *Twenty Pounds*. *Provided alſo*, That all Actions where any Perſon ſhall ſue, as well for the King's Majeſty, as for himſelf, and all other Actions to be commenced in his Majeſty's Name and Behalf, may be commenced, purſued, and determined in any Court of this Colony, where by Law the ſame heretofore have been commenced, purſued and determined; except only ſuch Actions and Suits, as may or ſhall hereafter be brought or commenced, for the Penalty and Penalties, Forfeiture or Forfeitures, in this Act laid, directed and enjoined; which ſhall not be brought, commenced, ſued for, or determined in any other Courts, than the Inferior Courts before mentioned.

Under Pain of ſix Months Impriſonment;

Except where Title to Lands are in Queſtion, and Actions *Qui tam*, &c.

V. AND to the End his Majeſty's good Subjects may not be deſtitute of proper Means to recover their juſt Dues and Demands, **Be it Enacted** *by the Authority aforeſaid*, That all Suits or Actions, which ſhall hereafter be brought or commenced in any of the Inferior Courts before-mentioned, not exceeding the Sum of *Twenty Pounds*, as aforeſaid, (except as before excepted) ſhall be heard, tried, and determined therein, altho' the real Cauſe of Action did not ariſe in the City, County, or Borough, where ſuch Suit or Action ſhall be brought or commenced; and that the ſaid Court or Courts ſhall not admit or allow of any foreign Plea, to quaſh, bar, or ſtop ſuch Suit or Actions; but proceed to hear, try, and determine them, in the ſame Manner as if the Cauſe of Action had ariſen within the Juriſdiction of the Court or Courts, where ſuch Suits or Actions ſhall be ſo brought or commenced, as aforeſaid; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

Suits under £.20, brought in Inferior Courts ſhall be tried there, altho' the Cauſe of Action aroſe out of their Juriſdiction.

VI. AND whereas his Majeſty's Subjects who live remote from the City of *New-York*, are put to grievous Trouble, and intolerable Charges and Expence, being, as the Law is now conſtrued, to ſtand obliged or compelled to come with their Cognizors to the ſaid City, from their very diſtant Habitations, whenever they are obliged to put in Special Bail in the Supreme Court of this Colony, or Bail to the Writ of *Habeas Corpus*, graciouſly intended for the Safety, Eaſe, and Quiet of his Majeſty's liege People; the General Aſſembly therefore further pray it may be enacted, **And be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That immediately from and after the Publication of this Act, the ſeveral Judges of the Inferior Courts of Common-Pleas, within the reſpective Cities and Counties of this Colony, ſhall be, and hereby are fully authoriſed and impowered, in each of the ſaid Cities and Counties where ſuch Judges are or ſhall be commiſſioned, (the City and County of *New-York* only excepted) to take and receive every ſuch Recognizance or Recognizances of Bail or Bails, as any Perſon or Perſons, is, are, or ſhall be deſirous to make before him, in any Action or Suit depending, or hereafter to be depending in the aforeſaid Supreme Court, and in ſuch Manner and Form, and by ſuch Recognizance or Bail-piece, as the reſpective Juſtices of the ſaid Supreme Court uſually take the ſame; which ſaid Recognizance or Recognizances, or Bail or Bail-pieces, ſo taken as aforeſaid, ſhall be forthwith tranſmitted by the Defendant, in any ſuch Action or Suit as aforeſaid, to any one of the Juſtices of the Supreme Court; and the ſaid Juſtice, to whom ſuch Recognizance or Bail-piece ſhall be ſo tranſmitted, ſhall accept and receive the ſame; and the ſaid

Judges of the Inferior Courts impowered to take Recognizances of Bail, in Actions depending in the Supreme Court;

Which the Defendant ſhall tranſmit to one of the Judges of the Supreme Court.

ſaid Recognizance of Bail or Bail-pieces, ſo taken and tranſmitted as aforeſaid, ſhall be of the like Effect when taken abſolutely, or *de bene eſſe*, as if the ſame were or had been taken before any Juſtice or Juſtices of the ſaid Supreme Court: And the Cognizor or Cognizors of ſuch Bail or Bails, ſhall not be compelled to appear in Perſon before ſuch Juſtice or Juſtices, either before or at the ſaid Supreme Court: And the ſaid Juſtices of the Inferior Courts of Common-Pleas, ſhall examine the Sureties to ſuch Recognizances of Bail or Bail-pieces, as aforeſaid, when, and ſo often as they ſhall be thereunto requeſted, by any Perſon or Perſons concerned, intereſted in, or affected by ſuch Bail, Recognizance, or Surety thereon, concerning the Value of ſuch Surety's Eſtate and perſonal Circumſtances. *Provided nevertheleſs*, That all Plaintiffs, and their Council or Attornies, ſhall have the ſame Time allowed, for the excepting againſt the Sureties to be given in the Manner aforeſaid, as was uſually allowed for that Purpoſe, before this Act; any Thing therein to the contrary notwithſtanding.

Judges of the Supreme Court to take half Fees for ſuch Recognizance

VII. **And be it further Enacted** *by the Authority aforeſaid*, That the Juſtice or Juſtices of the Supreme Court, ſhall, with every Recognizance of Bail or Bail-pieces, ſo to him tranſmitted, receive the one Half of ſuch Fees, as he or they uſually did receive before this Act; and upon Receipt thereof, ſhall file ſuch Recognizance of Bail or Bail-piece, and in all Things proceed thereon, as if the ſaid Recognizance or Bail-piece had been taken by him or themſelves: And the Judges of the Inferior Courts of Common-Pleas, taking ſuch Recognizances of Bail or Bail-piece, ſhall receive the one Half Part of ſo much as was, by the Juſtice or Juſtices aforeſaid, uſually taken before this Act, as a Reward for the Trouble of the ſaid Judge or Judges therein.

If Courts are hereafter eſtabliſhed, this Act ſhall affect them as it now does the Supreme Court.

VIII. AND in Caſe it ſhould hereafter be thought expedient to eſtabliſh one or more other Courts of Law within this Colony, Superior to the Inferior Courts aforeſaid, **Be it Enacted** *by the Authority aforeſaid*, That whenever ſuch Court or Courts, under whatever Title or Denomination the ſame ſhall or may be ſo eſtabliſhed, as aforeſaid; that then ſuch Court or Courts, every Article, Clauſe, Matter and Thing in this Act contained, touching the Commencing or Removal of Actions, or giving Special Bail, ſhall be of the like Effect, Force, Import and Validity, as the ſame are hereby enacted to have in the ſaid Supreme Court, in as full and effective a Manner, to all Intents, Conſtructions and Purpoſes whatſoever, as if ſuch Court or Courts, as aforeſaid, were now eſtabliſhed, and had been particularly named and mentioned in the Body of this Act.

CHAP. DCCC.

An ACT *to continue an Act, entitled*, An *Act* to encourage the Deſtroying of Wild-Cats in the County of *Suffolk*.

Paſs'd the 29th of November, 1745.

See Chap. 724. Continued by Chap. 889.

CHAP. DCCCI.

An ACT *for the better clearing, regulating, and further laying out publick High-ways in the County of* Weſtcheſter.

Paſs'd the 29th of November, 1745.

In Part alter'd, Chap. 905.

Preamble.

WHEREAS nothing will contribute ſo much to the Eaſe and Advantage of the Inhabitants, as the well regulating, and laying out publick High-Roads in the ſeveral Counties of this Colony:

I. Be

19th *GEORGE* II. A. D. 1745.

Commiſſioners appointed to regulate Highways in the County of *Weſtcheſter.*

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after the Publication, and during the Continuance of this Act, the Perſons herein after named, ſhall be, and hereby are appointed Commiſſioners to regulate the High-ways, and to lay out ſuch other publick Roads, as may ſtill be neceſſary within the ſaid County of *Weſtcheſter*; and they and each of them, are hereby fully authoriſed and impowered, to put in Execution the ſeveral Services intended by this Act, in ſuch Towns, Manors, and Places only, for which they ſhall be reſpectively named and appointed; *That is to ſay*; For the Townſhip of *Weſtcheſter* and Manor of *Fordham*, *William Legget*, *Edward Stephenſon*, and *Joſhua Hunt*: For *Eaſtcheſter*, *John Ward*, *John Fowler*, and *William Pinkney*: For *New-Rochelle* and *Pelham*, *Anthony Leſpinard*, *Philip Pell*, and *Oliver Beſley*, jun. For the Townſhip of *Rye* and *White-Plains*, *William Willett*, *Samuel Tredwell*, and *Jonathan Purdy*: For *Bedford*, *John Holmes*, *Abraham Miller*, and *Marcus Moeſman*: For *Northcaſtle*, *George Dennis*, *James Weeks*, and *Daniel Seaman*: For *Salem*, *Joſiah Gilbert*, *Peter Benedict*, and *James Brown*, jun. For the Manor of *Cortland*, *Philip Van Cortland*, *Philip Verplank*, and *Hercules Lent*, Eſqrs. For the Manor of *Philipſburgh*, *Adolph Philipſe*, Eſq; *Frederick Philipſe*, Eſq; *Frederick Van Cortland*, Eſq; and *William Stephenſon*.

The Commiſſioners impowered to lay out new Roads, &c.

II. **And be it Enacted** *by the Authority aforeſaid*, That the Commiſſioners, or the major Part of them, in the reſpective Places, for which they are named and appointed Commiſſioners, are hereby authoriſed and impowered, to regulate the Roads already laid out, and lay out ſuch other publick Roads, in the ſeveral Places, for which they are appointed Commiſſioners, as to them, or the major Part of them, ſhall ſeem neceſſary and convenient; and if Need be, to take a Review of the Roads already laid out; and ſuch of them as appear to be really inconvenient, the ſaid Commiſſioners ſhall and may alter the ſame, (provided all the Commiſſioners appointed for the Place, judge it abſolutely neceſſary) and to lay out ſuch other publick Ways and Roads, as they, or the major Part of them, ſhall think moſt convenient, as well for Travellers as for the Inhabitants of the next adjacent Towns, Villages, or Neighbourhoods. *Provided*, That Nothing in this Act contained, ſhall extend, or be conſtrued to impower the Commiſſioners aforeſaid, to alter any Road that is already commodious, or to lay the ſame through incloſed or improved Lands, without either the Conſent of the Owners thereof, or paying to them the true Value of the Lands, ſo laid into an High-way; and if any Diſpute ſhall ariſe by that Means, the ſame ſhall be determined, and the true Value ſet and appraiſed by two Juſtices of the Peace, and by the Oaths of twelve of the principal Freeholders of the Neighbourhood, not having any Intereſt in the Land about which ſuch Diſpute may ariſe; the ſaid Freeholders to be ſummoned by the High-Sheriff, by Virtue of a Warrant, to be iſſued by the ſaid two Juſtices, for that Purpoſe.

Roads not to be ſtopt up without Conſent of the Commiſſioners.

III. **And be it further Enacted** *by the ſaid Authority*, That if any Perſon or Perſons, within the ſaid County, do, or hereafter ſhall, without the Conſent of the Commiſſioners, or the major Part of them, for the Town, Manor, or Place for which they are, by this Act, appointed Commiſſioners, alter, ſtop up, or leſſen any High-way or Road, that has heretofore been laid out by former Commiſſioners, or any Road that has been uſed above thirty Years, tho' not laid out by the Commiſſioners, or any Road that ſhall hereafter be laid out by the Commiſſioners named in this Act; ſuch Perſon ſo offending, contrary to the Meaning of this Act, ſhall, for every ſuch Offence, forfeit the Sum of *Five Pounds*; to be recovered before any Juſtice of the Peace, upon the Oath

Oath of any one Witneſs, and levied by Warrant from any Juſtice of the Peace, directed to the Conſtable of the Town, Manor, or Precinct, where ſuch Offence is committed, by diſtraining the Goods and Chattels of the Offender; and the ſaid Conſtable, after ſix Days publick Notice is given by him, of the ſaid Diſtreſs, ſhall make Sale thereof; and out of the Produce, pay the ſaid Forfeiture and Charges, and return the Overplus (if any there be) to the Owner or Owners; which ſaid Forfeiture of *Five Pounds*, ſhall be applied, by the Surveyors of the High-ways, for and towards repairing the publick Roads or Bridges, within the Precinct where ſuch Forfeiture ſhall ariſe.

Breadth of Roads through any improved Lands to be at the Diſcretion of the Commiſſioners.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That if any common publick Road or High-way, ſhall be laid through any Meadow-Ground or Corn-Fields, the Breadth of the ſaid Roads ſhall be left to the Diſcretion of the Commiſſioners, or the major Part of them, for the Towns, Manors, or Places where ſuch Roads ſhall run, as aforeſaid.

The Inhabitants to keep all publick Roads in Repair.

V. **And be it further Enacted** *by the ſaid Authority*, That the Inhabitants of the reſpective Towns, Manors, or Precincts, by and through which any common publick High-ways or Roads, have, or ſhall run, or be hereafter aſcertained or laid out, ſhall be, and hereby are obliged, to clear and maintain the ſame, by cutting and ſtubbing up the Bruſh, and lopping off the Limbs of the Trees that hang over the ſaid Roads, the Breadth of two Rods; and pulling up the Stones that can be moved, and to carry them out of the Road, at leaſt the Breadth of one Rod; and ſo often as they, or any of them, ſhall have Notice from any one of the reſpective Commiſſioners or Overſeers of the High-ways, for the Time being, they ſhall in their Turns, either by themſelves, or by able Slaves or Servants, clear, level and amend the High-ways, not exceeding ſix Days in the Year, under the Penalty of *Three Shillings*, for each Day every Perſon or Perſons ſhall neglect or refuſe ſuch Service; to be levied by the Conſtable in each Town, Manor or Precinct, by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant from the Overſeer of the High-ways, for the Time being, in each reſpective Town, Manor, or Precinct where ſuch Offence ſhall be committed, returning the Overplus of ſuch Sale (if any be) to the Owner or Owners, the Conſtable being firſt paid for his Pains or Trouble, out of the Diſtreſs and Sale, as is uſual in other Caſes.

Trees reſerved to the Owners of the Land.

VI. **Provided always, and it is hereby Enacted** *by the Authority aforeſaid*, That all Trees lying or ſtanding in any Perſon's Land, through which any common publick High-way or Road is, or ſhall be laid out, be for the proper Uſe of the Owner or Owners of the ſame; but the ſaid Owners ſhall not hinder the Publick from making Uſe of ſo much Timber, which is ſtanding or lying on that Road, as will amend the ſaid High-way, or Bridges, leading through that Land.

In what Places ſwinging Gates may be placed.

VII. **And be it alſo Enacted** *by the ſame Authority*, That where any High-way from any Town or Neighbourhood, to any Mills, Meadows, Watering or common Landing-Places, ſhall run through any particular Perſon's Ground, it ſhall and may be lawful for any ſuch Perſon or Perſons, by and with the Approbation of any two Commiſſioners for ſuch Town, Manor, or Place, to hang good ſwinging Gates on ſuch High-ways, and keep them in Repair at their own Coſts. *Provided*, No Roads leading into or out of any Woods, Plains, or Commons, where the Cattle belonging to any Town or Village, uſually paſs through, to, or from the Common or feeding Grounds, be clogged or hinder'd by any ſwinging Gates, as aforeſaid, unleſs by the Conſent of the major Part of the Inhabitants of ſuch Town or Village; and the ſeveral Gates already ſtanding and allowed, may or ſhall be approved and

 continued,

19th *GEORGE* II. A. D. 1745.

continued, or alter'd, as the Commiſſioners herein reſpectively appointed, ſhall judge moſt convenient; and the ſame High-ways ſhall be amended and maintained by the Inhabitants only, of every Town, Manor, or Precinct where ſuch Ways may run.

No Perſon to ſhore open any ſuch Gate, or do Damage.

VIII. **And be it further Enacted** *by the ſame Authority*, That in Caſe any Perſon or Perſons ſhall ſtake, or ſhore open, any ſuch Gate or Gates, as aforeſaid, or otherwiſe ride over or through any Land, Meadow-Ground, or Corn-Fields, to the Damage of the Owners thereof; ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit the Sum of *Six Shillings*; to be recovered and applied by the Overſeers of the High-ways, in each reſpective Town, Manor, or Precinct where ſuch Offence ſhall be committed, towards repairing the publick High-ways or Roads, and pay all ſuch Damages, with the Coſts, the Owner of the Soil or Tenant ſhall ſuffer or ſuſtain thereby, as ſhall be ordered and awarded by a Juſtice of the Peace, reſiding near the Place where ſuch Offence ſhall be committed; and the Determination of ſuch Juſtice ſhall be final and concluſive therein.

A Team equal to three Days Work.

IX. **And be it Enacted** *by the Authority aforeſaid*, That if the Overſeers of the High-ways and Roads ſhall think fit, and have Occaſion for any Team, Cart, or Waggon, and a Man to manage the ſame; the ſaid Team, Cart, or Waggon, ſhall be eſteemed to be for, and in lieu and inſtead of three Days Work of one Man; and the Fine to be proportionable, *that is*, treble to the Fine to be impoſed for the Neglect of one Perſon; and every working Man ſhall be obliged to bring ſuch Tools, as Spades, Crows, Axes, Pick-axes, or other Utenſils, as ſhall be directed by the Overſeers of the High-ways.

The Vacancies of Commiſſioners to be ſupplied by a new Election.

X. **And be it further Enacted** *by the ſaid Authority*, That if any of the Commiſſioners herein appointed, ſhall neglect, refuſe, or delay to put the ſeveral Clauſes in Execution, which are mentioned and expreſſed as their Duty in this Act, if thereunto required, or ſhall happen to die, or remove out of the Town, Manor or Places, for which he or they are appointed Commiſſioners; it ſhall and may then be lawful for the Juſtices of the Peace, in the Seſſions to be held for the ſaid County, to appoint in his or their Stead, another Commiſſioner or Commiſſioners, in ſuch Place or Places where ſuch Refuſal, Neglect, Death, or Removal, ſhall ſo happen; which Commiſſioner or Commiſſioners, ſo appointed, ſhall be under the ſame Reſtrictions, and have the ſame Powers and Authorities as thoſe named and appointed by this Act.

All Roads laid out or altered to be entered on Record.

XI. **And be it further Enacted** *by the Authority aforeſaid*, That the Commiſſioners of each reſpective Town, Manor, Place or Places, for which they are reſpectively appointed, ſhall, from Time to Time, during the Continuance of this Act, enter in Writing, all the High-ways or Roads by them laid out, alter'd or ſtopt up, and ſign the ſame, by putting their Names thereto, and cauſe the ſame to be entred in the County Records, by the Clerk of the Peace; who is hereby directed and required, to record the ſame; and whatſoever the ſaid Commiſſioners ſhall do, according to the Powers given them in this Act, being ſo entered in the County Record, ſhall be deemed valid and good, to all Intents and Purpoſes whatſoever.

Commiſſioners Allowances.

XII. **And be it further Enacted** *by the ſame Authority*, That each Commiſſioner appointed, or to be appointed by Virtue of this Act, ſhall have, take and receive, a Sum not exceeding *Four Shillings*, each Day, as a Reward for his or their Care and Trouble, in laying out and regulating the High-ways in the reſpective Towns, Manors and Places, for which they are ſeverally appointed;

pointed; which ſaid Reward or Wages, ſhall not be any Part of the County Charge, but ſhall be defrayed by each Town, Manor, Place or Places, as they are joined in this Act, by the ſame Ways, and in the ſame Manner, as the Wages are, or ought to be paid, to Superviſors in the ſaid County, by Virtue of an Act, entitled, *An* * Act *to increaſe the Number of Superviſors in the County of* Weſtcheſter, *and no Wages of Superviſors, ſhall be any Part of the ſaid County Rate for the future*, paſſed in the Ninth Year of his late Majeſty's Reign.

* See Chap. 433.

XIII. **And be it further Enacted** *by the Authority aforeſaid*, That upon the ordering of any one or more of the Juſtices of the Peace, or any one or more of the Commiſſioners, within the Town, Manor or Places, for which he or they are appointed as aforeſaid; the Overſeer of the Town, Manor or Precinct, ſhall and do, within eight Days thereafter, warn and ſet at work, the reſpective Inhabitants, to mend and repair the King's Roads and Bridges, which by Law and Cuſtom they are obliged to repair; and if the Overſeer ſhall neglect or refuſe to warn and ſet at work the Inhabitants as aforeſaid, and ſee the ſaid Roads, Bridges and High-ways, amended and repaired; ſuch Overſeer or Overſeers, ſhall, for every ſuch Neglect or Refuſal, forfeit, or pay a Fine of *Forty Shillings*; to be adjudged by, and recovered before any one Juſtice of the Peace of the ſaid County, upon the Oath of any one Witneſs, or on the View of ſuch Juſtice, or on the View of any one of the Commiſſioner s within his or their Diſtrict, in the common and uſual Method; which Fine ſhall be applied towards repairing the ſaid High-ways or Roads, in ſuch Town, Manor or Precinct, wherein the Fine did ariſe.

The Commiſſioners to warn and ſet the Inhabitants to work on the Roads.

XIV. **Provided always, and it is hereby Enacted** *by the Authority aforeſaid*, That where the Inhabitants of a ſmall Neighbourhood or Plantation, ſhall deſire to have publick Roads laid out, the Commiſſioners aforeſaid, ſhall not be allowed to lay out ſuch and ſo many Roads as the ſaid Inhabitants may be deſirous to have, but only one publick Way, leading from ſuch Neighbourhood, to the neareſt publick or High-Road, from whence they can travel or tranſport Goods to other Towns or Landing-Places; and where it ſhall be neceſſary, to lay out a Road from one Diſtrict (as they are in this Act joined) to another Diſtrict, the Commiſſioners of both Towns, Manors or Places, are to meet and conſult where ſuch Road can be laid in the beſt and ſtraiteſt Manner, and to lay out the ſame accordingly, to the End ſuch Roads may not only correſpond with each other, but be laid out and carried on in the moſt convenient and ſhorteſt, Manner the Nature of the Land will allow. This Act to be of Force from the Time of its Publication, until the firſt Day of *December*, which will be in the Year One Thouſand Seven Hundred and Fifty-five.

Only one publick Road to be laid out at the Deſire of a ſmall Neighbourhood.

Continuance of this Act.

CHAP. DCCCIII.

An ACT *further to continue an Act, entitled*, An *Act* for and towards ſupporting the Government of this Colony, by granting to his Majeſty the Duties therein mentioned, from the firſt Day of *December*, One Thouſand Seven Hundred and Forty, to the firſt Day of *December*, One Thouſand Seven Hundred and Forty-one; *with an Addition thereto.*

See Chap. 778. Continued Chap. 841.

Paſs'd the 29th of November, 1745.

[*Though the ſecond Section of this Act contains an Addition; yet, as that Addition is the ſame*, verbatim, *with the fourth* § *of* Chap. 841, *we thought this unneceſſary to be printed.*]

19th *GEORGE* II. A. D. 1745.

CHAP. DCCCIV.

An ACT *to alter the Place of the Supervisor's Meeting, in the County of* Westchester.

Pass'd the 29th of November, 1745.

Preamble.

‡ Chap. 133.

WHEREAS by an Act, entitled, *An* ‡ Act *for the better explaining, and more effectual putting in Execution, an Act of General Assembly made in the third Year of the Reign of their late Majesties King* WILLIAM *and Queen* MARY, *entitled, An* Act *for defraying of the publick and necessary Charge throughout this Province, and maintaining the Poor, and preventing Vagabonds*; it was enacted among other Things, That the Supervisors should meet at the County Town in each respective County, on the first *Tuesday* in *October*: And whereas it is found to be inconvenient for many of the Supervisors in the County of *Westchester*, to meet at the County Town as aforesaid, and will be much for the Ease of the People, that they should meet at the Town of *Rye*;

Supervisors of *Westchester* to meet in *Rye*.

I. **Be it therefore Enacted** *by the Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same,* That the annual Meeting of the Supervisors for the County of *Westchester*, shall hereafter be at the School-House in the Town of *Rye*, in the said County; and the major Part of the said Supervisors, shall have Power to adjourn to such Time and Place as they shall think proper; any Thing in the said Act to the contrary hereof notwithstanding.

CHAP. DCCCV.

An ACT *for the better clearing, regulating, and further laying out publick High-ways in* Kings *County*, Queens *County*, Richmond *County, and* Orange *County.*

Pass'd the 29th of November, 1745.

Preamble.

WHEREAS Nothing will contribute more to the Ease and Advantage of the Inhabitants of this Colony, than the well-regulating, laying out, and keeping in proper Repair, publick High-ways in the several Counties thereof:

The Freeholders at their annual Meetings, impowered to chuse Commissioners for High-ways.

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, the Freeholders and Inhabitants of each respective Town, Precinct, and Division, within the several Counties above-mentioned, shall be, and hereby are authorised and impowered, at their annual Meeting for electing of Town-Officers, to chuse and elect at the same Time, three Freeholders, to regulate and lay out High-ways; as also so many Persons to be Surveyors and Overseers of the High-ways, as the Majority of the Freeholders and Inhabitants of each Town, Precinct and Division, then assembled in any of the Counties aforesaid, shall judge necessary, for the overseeing, mending, repairing, and keeping in Order the several High-ways in the respective Towns, Precincts and Divisions, for which they shall be elected and chosen, in Manner aforesaid: And the Person or Persons so chosen and elected, as well those who are to regulate and lay out High-ways, as those who are to be Overseers and Surveyors thereof, are hereby required to take the several Offices upon them.

II. And

II. **And be it Enacted** *by the Authority aforeſaid*, That the Commiſſioners, or the major Part of them, in the reſpective Places for which they ſhall be elected and choſen Commiſſioners, are hereby impowered and authoriſed to regulate the Roads already laid out, and lay out ſuch other publick Roads, in the ſeveral Places for which they ſhall be elected and choſen Commiſſioners, as to them, or the major Part of them, ſhall ſeem neceſſary and convenient; and, if Need be, to take a Review of the Roads already laid out; and ſuch of them as appear to be really inconvenient, the Commiſſioners ſhall and may alter the ſame; and to lay out ſuch other publick Ways or Roads, as they, or the major Part of them, ſhall think moſt convenient, as well for Travellers, as for the Inhabitants of every reſpective Town, and the next adjacent Towns, Villages, and Neighbourhoods. *Provided*, That Nothing in this Act contained, ſhall extend, or be conſtrued to impower the Commiſſioners aforeſaid, to alter any Roads that are already commodious, nor to lay out any Roads through any Perſon's Lands, without either the Conſent of the Owner or Owners thereof, or paying to him or them, the true Value of the Land ſo laid out into an High-way or Road; and if any Diſpute ſhall ariſe by that Means, the ſame ſhall be determined, and the true Value ſet and appraiſed by two Juſtices of the Peace of the ſaid County, and by the Oaths of twelve of the principal Freeholders of the Neighbourhood, not having any Intereſt in the Land about which ſuch Diſputes may ariſe; the ſaid Freeholders to be ſummoned by the High-Sheriff of the ſaid County, by Virtue of a Warrant to be iſſued by the ſaid two Juſtices, for that Purpoſe: And the Perſon or Perſons, who ſhall deſire a Road through any Perſon's Land, ſhall defray the whole Charges of the Value of the ſaid Lands, to be paid to the Perſon or Perſons injured, and through whoſe Lands ſuch Roads ſhall be laid; together with the Wages of the Commiſſioners, the Charges for calling the Jury, and of their Verdict, and of the whole Proceeding thereon had: And ſuch Way or Road to be for the only proper Uſe of ſuch Perſon or Perſons, or to his or their Heirs and Aſſigns who paid for the ſame.

Which Commiſſioners are impowered to lay out and regulate any High-ways, &c.

III. **And be it further Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons within the ſaid Counties, do, or hereafter ſhall, alter, ſtop up, or leſſen any High-way or Road, that has been heretofore laid out by former Commiſſioners, according to Law, or ſhall hereafter be laid out by the Commiſſioners elected and choſen by Virtue of this Act; ſuch Perſon ſo offending, contrary to the Meaning of this Act, ſhall, for every ſuch Offence, forfeit the Sum of *Forty Shillings*; to be recovered before any Juſtice of the Peace, upon the Oath of any one Witneſs, and levied by Warrant from any Juſtice of the Peace, directed to the Conſtable of the Town or Place where ſuch Offence is committed, by diſtraining the Goods and Chattels of the Offender; and the ſaid Conſtable, after ſix Days publick Notice is given by him, of the Selling the ſaid Diſtreſs, ſhall make Sale thereof; and out of the Produce, pay the ſaid Forfeiture and Charges, and return the Overplus (if any there be) to the Owner or Owners; which ſaid Forfeiture of *Forty Shillings*, ſhall be applied, by the Surveyors of the High-ways, for and towards repairing the publick Roads or High-ways, within the Town or Precinct where ſuch Forfeiture ſhall ariſe.

Roads not to be ſtopt up without Conſent of the Commiſſioners.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That if any common publick Road or High-way, ſhall be laid out through any Perſon's Land or Meadow, it ſhall not be leſs, nor exceed the Breadth of Twenty Foot.

Breadth of Roads through incloſed Land.

V. **And be it further Enacted** *by the ſame Authority*, That the Inhabitants of the Towns and Precincts, by and through whoſe Lands any common publick Roads or High-ways have or ſhall run, or be hereafter aſcertained, or laid out, are hereby obliged to clear and maintain the ſame, by cutting and ſtubbing the

The Inhabitants to keep all publick Roads in Repair.

19th *GEORGE* II. A. D. 1745.

the Bruſh up, pulling up the Stones that can be carried off the Breadth of a Rod; and the Limbs of the Trees hanging over the ſaid Roads, to to lopt, and carried off; and ſo often as they, or any of them, ſhall have Notice from the reſpective Surveyors, or Overſeers of the High-ways for the Time being, ſhall by themſelves, or Servants, clear, level, and amend the High-ways, not exceeding *ſix* Days in the Year, under the Penalty of *Three Shillings*, for each Day every Perſon ſhall neglect or refuſe ſuch Service; to be levied by the Conſtable in each Town, Precinct, or Diviſion, by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant from any one of the Surveyors or Overſeers of the High-ways for the Time being, returning the Overplus of ſuch Sale, to the Owner or Owners (if any there be) the Conſtable to be firſt paid for his Pains and Trouble, out of the Diſtreſs, as is common in other Caſes; and the ſaid Forfeiture of *Three Shillings*, ſhall be applied for repairing the publick Roads or High-ways, within the Town or Precinct where ſuch Forfeiture ſhall ariſe.

Trees in the Road, reſerved to the Owners of the Land, thro' which Roads are laid out, &c.

VI. **And be it further Enacted** *by the Authority aforeſaid*, That all Trees that ſtand in any Perſon's Land, through which any common publick Road or High-way is, or ſhall be laid out, be for the proper Uſe of the Owner or Owners of the ſame; but the ſaid Owner ſhall not hinder the Publick of making Uſe of ſo much Timber which is ſtanding or lying on that Road, as will amend and repair the High-ways or Roads running through that Land.

In what Places ſwinging Gates may be placed.

VII. **And be it alſo Enacted** *by the ſame Authority*, That where any High-way from any Town or Plantation, to any Meadows, Mills, or common Landing Places, ſhall run through any particular Man's Ground; it ſhall and may be lawful, for any ſuch Perſon or Perſons, by the Approbation of the Commiſſioners of ſuch Town, Precinct or Diviſion, to place and hang good eaſy ſwinging Gates, on ſuch High-ways, and keep them in good Repair at their own proper Coſts. *Provided*, no Roads leading into, or out of any Woods, Plains or Commons, where the Cattle belonging to any Town or Village uſually paſs to and from the Commons or feeding Ground, be clogged or hinder'd by any ſwinging Gates as aforeſaid, but by the Conſent of the Inhabitants of the ſaid Town or Village, or the major Part of them; and the ſeveral Gates already ſtanding and allowed, may or ſhall be approved and continued, or alter'd, as the Commiſſioners ſhall judge moſt convenient; and the ſame High-ways ſhall be amended and maintained by the Inhabitants of every Town where ſuch Ways may run.

A Team equal to three Days Work.

VIII. **And be it further Enacted** *by the ſame Authority*, That if the Overſeers of the Roads and High-ways ſhall think fit, and have Occaſion of any Team, Cart or Waggon, and a Man to manage the ſame; the ſaid Team, Cart or Waggon, ſhall be eſteemed to be for and in Lieu and Stead of three Days Work of a ſingle Man, and the Fine to be proportionable, *that is*, Treble to the Fine to be impoſed for the Neglect of a ſingle Perſon; and every working Man ſhall be obliged to bring ſuch Materials, as Spades, Axes, Crows, Pick-Axes, and other Utenſils, as ſhall be directed by the Surveyors or Overſeers of the High-ways.

All Roads laid out or altered, to be entered on Record.

IX. **And be it further Enacted** *by the ſaid Authority*, That the Commiſſioners of every Town, Precinct and Diviſion, for which they ſhall be choſen and elected, ſhall, from Time to Time, enter in Writing, all the High-ways or Roads by them laid out, alter'd or ſtopt up, and ſign the ſame by putting their Names thereto, and cauſe the ſame to be entered in their Town Books, or in the County Record; and the ſeveral Clerks are hereby directed and required, to enter the ſame; and whatſoever the ſaid Commiſſioners ſhall do, according to the

the Powers given them in this Act, being ſo entered in the Town-Books, or in the County Records, ſhall be valid and good, to all Intents and Purpoſes whatſoever.

X. **And be it further Enacted** *by the ſame Authority*, That each Commiſſioner ſhall have, take and receive, a Sum not exceeding *Six Shillings* each, for every Day, as a Reward for his Care and Trouble, in laying out or regulating the High-ways or Roads in the reſpective Towns, Precincts and Diviſions, for which they ſhall be choſen and elected; and he or they ſhall tranſmit his or their Accounts, to the Superviſors of the ſaid Counties, at their annual Meetings, of the Time he or they have ſpent in laying out, and in regulating High-ways and Roads, in their reſpective Towns, Precincts and Diviſions; and the Superviſors ſhall add ſo much as they find the Commiſſioners have right to claim, to the *Quotas* of that Town, Precinct or Diviſion, from whence ſuch Account ſhall be brought, and ſhall raiſe the ſame with the County Tax; which ſhall be paid by the County Treaſurer, to the Commiſſioners, upon a Warrant from the Superviſors, as in other Caſes, except where the Commiſſioners are paid for laying out and regulating Roads, which any particular Perſon or Perſons have paid for, as before is expreſſed.

Commiſſioners Allowances.

XI. **And be it further Enacted** *by the Authority aforeſaid*, That upon the Ordering of any one Juſtice of the Peace, the Surveyors or Overſeers of the ſeveral Towns, Precincts and Diviſions, ſhall, within eight Days thereafter, warn and ſet to work the reſpective Inhabitants, to mend and repair the King's High-ways, and other Roads, which by Law and Cuſtom they are obliged to repair; and if any of the Surveyors or Overſeers, ſhall neglect or refuſe to warn and ſet to work the Inhabitants as aforeſaid, and ſee the ſaid Roads and High-ways amended and repaired; ſuch Surveyor or Surveyors, ſhall, for every ſuch Neglect or Refuſal, forfeit and pay a Fine of *Forty Shillings*; to be adjudged by and recovered before any one of his Majeſty's Juſtices of the Peace of the County where ſuch Neglect or Refuſal ſhall happen, upon the Oath of any one Witneſs, or on the View of ſuch Juſtice, in the common or uſual Method; which Fine ſhall be applied towards repairing the ſaid High-ways, in ſuch Town or Place wherein ſuch Fine may ariſe.

The Supervisors, *&c.* to warn the Inhabitants to work on the Roads.

CHAP. DCCCVI.

An ACT *for the Payment of the Salaries, Services, and Contingencies therein mentioned, until the firſt Day of* September, *One Thouſand Seven Hundred and Forty-ſix.*

Paſs'd the 29th of November, 1745.

Expired the 1ſt *September*, 1746.

CHAP. DCCCVII.

An ACT *to raiſe a Sum not exceeding* One Hundred Pounds, *for the finiſhing of the Court-Houſe and Goal in the County of* Ulſter, *and defraying ſuch Charges as are already laid out and expended towards the Building of the ſaid Court-Houſe and Goal.*

Paſs'd the 29th of November, 1745.

Obſolete.

CHAP. DCCCVIII.

An ACT *for the Eſtabliſhing a Military Watch for the City and County of* Albany.

Paſs'd the 29th of November, 1745.

Expired 1ſt of *December*, 1746. Provided for by Chap. 826.

CHAP.

19th *GEORGE* II. A. D. 1745.

Revived by Chap. 891.

CHAP. DCCCIX.

An ACT *to prevent Damages by Swine in* Dutcheſs *County.*

Paſs'd the 29th of November, 1745.

Preamble.

WHEREAS ſeveral of the Inhabitants within *Dutcheſs* County, have been and ſtill are very negligent and remiſs about their Swine, in ſuffering them to go at large, without any Manner of Care or Reſtraint, ſo that they often get into the Neighbour's Corn-Fields, Orchards, Gardens, and other Incloſures, and there to do conſiderable Hurt and Damage: To prevent which for the future.

Swine running at large to be impounded;

I. **Be it Enacted** *by his Excellency the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That from and after the Publication of this Act, it ſhall and may be lawful, for all and every the Inhabitants within *Dutcheſs* County, from Time to Time, and at all Times hereafter, during the Continuance of this Act, to keep or impound, in any Pound or Place within the ſaid County, either publick or private; all Swine, ſmall or great, which ſhall go at large on the Commons, High-ways, or un-incloſed Land, or get into their, or any of their Corn-Fields, Orchards, Gardens, or other Incloſures, contrary to the true Intent and Meaning of this Act; until the Owner or Owners of ſuch Swine, ſhall pay, and ſatisfy to the Perſon or Perſons, who ſhall ſo take, keep or impound them; for every grown Swine eſteemed ſix Months old, and upward, the Sum of *One Shilling*, current Money of this Colony; and for every Swine under that Age, or ſo eſteemed, *Six Pence* in like Money, beſides the Damages ſuch Perſon or Perſons ſhall have ſuſtained by Means or Reaſon of ſuch Treſpaſs or Treſpaſſes; which Damage ſhall be aſcertained by any Juſtice of the Peace within the ſaid County, taking to his Aſſiſtance two of the neighbouring Freeholders under Oath, to appraiſe the ſaid Damages.

And the Damages they ſhall do, to be aſcertained by a Juſtice, &c.

The Swine to be ſold, if not redeemed in 48 Hours after Notice

II. **And be it further Enacted** *by the Authority aforeſaid,* That in caſe the Owner or Owners of ſuch Swine ſo taken, kept, or impounded, as aforeſaid, ſhall or will not, within Forty-eight Hours after due Notice thereof had, of ſuch taking, keeping or impounding, redeem their ſaid Swine, by paying the ſaid Penalty impoſed by this Act; that then, it ſhall and may be lawful for the Perſon or Perſons ſo taking, keeping, or impounding ſuch Swine, to expoſe them to open Sale, to the Higheſt Bidder; and out of the Money ariſing by ſuch Sale, to retain in their own Hands, ſo much as is allowed for the Forfeitures and Damages decreed by the Juſtice and two Freeholders, as aforeſaid; and the Overplus (if any be) to ſuch Owner or Owners; he, ſhe or they, proving to be the true Owner or Owners of ſuch Swine; and if no ſuch Owner or Owners do put in their Claim, and prove themſelves the true Owners within three Months after ſuch Sale, that then it ſhall be paid to the Overſeers of the Precinct in ſaid County, where the Forfeitures ſo doth ariſe, for the Uſe of the Poor, in ſuch reſpective Precinct. *Provided nevertheleſs,* That no Perſon or Perſons whatſoever, not being Freeholders or Inhabitants, or the Servants of Freeholders or Inhabitants, ſhall have any Power by this Act to take up or impound any Swine as aforeſaid. This Act to continue to the Year One Thouſand Seven Hundred and Fifty.

CHAP. DCCCX.

Obſolete; *as appears by the Preamble of Chap.* 886.

An ACT *to finiſh and compleat the Court-Houſe and Goal in* Dutcheſs *County, and for defraying the other Charges therein mentioned.*

Paſs'd the 29th of November, 1745.

CHAP.

19th *GEORGE* II. A. D. 1745.

CHAP. DCCCXI.

Private.

An ACT *for naturalizing* Jurian Hanſen Schack *and* Hendrick Weſſels.

Paſs'd the 29th of November, 1745.

CHAP. DCCCXII.

An ACT *to enable the Inhabitants of the City of* New-York, *to chuſe annually Two Veſtry-men for each reſpective Ward within the ſaid City.*

Paſs'd the 29th of November, 1745.

Preamble.

WHEREAS by two Acts of the General Aſſembly of this Colony; one entitled, *An* ‡ Act *for ſettling a Miniſtry, and raiſing a Maintenance for them in the City of* New-York, *County of* Richmond, Weſtcheſter, *and* Queens *County*, paſſed in the fifth Year of King WILLIAM and Queen MARY; and the other entitled, *An* † Act *for the better explaining, and more effectual putting in Execution, an Act of General Aſſembly, entitled, An* Act *for ſettling a Miniſtry, and raiſing a Maintenance for them in the City of* New-York, *County of* Richmond, Weſtcheſter, *and* Queens *County*, paſſed in the ſecond *Year of Queen ANNE; and for the better Eſtabliſhment of the Maintenance for the Miniſter of the City of *New-York*, the Freemen and Freeholders of the ſaid City, are authoriſed and impowered, to chuſe annually, on the ſecond *Tueſday* of *January*, ten Veſtry-men and two Church Wardens; which ſaid ten Veſtry-men, or the major Part of them, in Conjunction with the Juſtices of the Peace of the ſame City, or any two of them, are thereby impowered and required, to lay a reaſonable Tax on the Inhabitants of the ſame City of *New-York*, for the Maintenance of the Miniſter, and Poor of the ſaid City. And whereas ſince the paſſing the aforeſaid Acts, the ſaid City of *New-York* is greatly encreaſed, as well in Extent as Number of Inhabitants; and there being now ſeven Wards within the ſaid City, and it being conceived, that for the more regular laying and aſſeſſing the ſaid Tax, for the Maintenance of the Miniſter, and Poor of the ſaid City, there ſhould be Two Veſtry-men annually choſen, for each reſpective Ward or Diviſion of the ſaid City.

‡ Chap. 36.

† Chap. 146.

Number of Veſtry-Men to be choſen.

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That on the ſecond Tueſday in *January* next, and on the ſecond Tueſday in *January*, in every Year, for ever hereafter, there ſhall be choſen fourteen Veſtry-men, *that is to ſay*; Two Veſtry-men for each and every Ward within the ſaid City; which ſaid fourteen Veſtry-men ſhall be choſen in the ſame Manner, and ſhall do and perform the ſame Duties and Services, and ſhall be ſubject to the Penalties and Forfeitures, as the Veſtry-men are ſubject and liable to, by the before mentioned Acts of Aſſembly.

Such Veſtry-men to meet together to make Aſſeſſments.

II. **And be it further Enacted** *by the Authority aforeſaid*, That the Veſtry-men ſo choſen, ſhall, before they make any Aſſeſſment, meet together, and then and there agree among themſelves, in what Proportion or Rule, the Eſtates real and perſonal, of the reſpective Inhabitants, ſhall be taxed; under the Penalty of *Five Pounds*, for each Neglect or Default; one Half to the Perſon or Perſons that will inform or ſue for the ſame, in any Court of Record, and the other Half to the Poor of the ſaid City and County; to the End that the ſame Rule and Proportion be alike throughout the whole City and County of *New-York*.

 III. **And**

* *The Act of this Title, paſſed in the 4th* Anne, *ſee it Chap.* 146. *The Reader will find many Inſtances of ſuch Miſtakes, in reciting the Times when Acts were paſſed.*

19th *GEORGE* II. A. D. 1745.

And to take an Oath.

III. **And be it further Enacted** *by the Authority aforeſaid,* That the ſeveral Veſtry-men annually choſen by Virtue of this Act, ſhall, before he or they take upon him or them the Execution of the ſaid Office, take an Oath, to be adminiſtred in theſe Words following, *viz.*

YOU do ſwear on the Holy Evangeliſts of Almighty God, That you, and every of you, ſhall and *well and truly execute the Duty of an Aſſeſſor, and equally and impartially, and in due Proportion, aſſeſs the ſeveral Freeholders and Inhabitants, according to the Value of their reſpective Eſtates, in an equal and juſt Proportion, in every of your reſpective Wards for which you are choſen Veſtry-men, according to your beſt Skill and Knowledge therein; you ſhall ſpare no Perſon, for Favour or Affection, or grieve any Perſon, for Hatred or Ill-will; neither ſhall you ſpare the Freeholders and Inhabitants of your reſpective Wards, for which you are choſen Veſtry-men, to grieve and oppreſs the Freeholders and Inhabitants of the other Wards.* So help you GOD.

To be adminiſtred by two Juſtices, *Quorum unus.*

WHICH Oath, any two or more Juſtices of the Peace, for the City and County of *New-York,* one whereof to be of the *Quorum,* are hereby impowered and directed to adminiſter.

CHAP. DCCCXIII.

Obſolete.

An ACT *for paying the Sum of* One Thouſand Five Hundred and Eleven Pounds, *for the Service of this Colony.*

Paſs'd the 29th of November, 1745.

CHAP. DCCCXIV.

See Chap. 771. Continued by Chap. 843.

An ACT *for continuing an Act, entitled,* An *Act* to regulate the Militia of this Colony.

Paſs'd the 29th of November, 1745.

CHAP. DCCCXV.

An ACT *to make it Felony without Benefit of Clergy, to counterfeit any* Spaniſh, French, *or* Portugueze *Gold or Silver within this Colony.*

Paſs'd the 29th of November, 1745.

Preamble.

WHEREAS evil diſpoſed Perſons have lately attempted to counterfeit the *Spaniſh, French,* and *Portugueze* Gold Coins, and the *Spaniſh* Pieces of Eight, and other *Spaniſh* Silver Coins, imported into this Colony, to the great Hurt and Damage of the Inhabitants: For Prevention thereof for the Future,

Counterfeiters of foreign Coin, or ſuch as paſs it, knowing it to be counterfeit, have their Clergy taken away.

I. **Be it Enacted,** *and it is hereby Enacted by his Excellency the Governor, the Council, and the General Aſſembly, and by the Authority of the ſame,* That any Perſon or Perſons, that ſhall hereafter be found guilty of counterfeiting any of the *French, Spaniſh,* or *Portugueze* Gold Coins, or *Spaniſh* Pieces of Eight, or any other *Spaniſh* Silver Money, or ſhall paſs any ſuch Gold or Silver Coin, knowing the ſame to be counterfeit; ſhall, for ſuch Offence, being thereof convicted, ſuffer the Pains and Penalty of Death, without the Benefit of Clergy, as in Caſes of Felony; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

CHAP.

19th *GEORGE* II. A. D. 1745.

CHAP. DCCCXVI.

An ACT *for regulating the Militia of this Colony.*
Paſs'd the 25th of February, 1745.

Loſt.

CHAP. DCCCXVII.

An ACT *for raiſing the Sum of* Three Thouſand Three Hundred and Seventy-five Pounds, *by a publick Lottery for this Colony, for the more effectual fortifying the City of* New-York.
Paſs'd the 25th of February, 1745.

Ammended, Cap. 822. Prolonged, Chap. 823. Obſolete.

CHAP. DCCCXVIII.

An ACT *to prevent Deſertion of his Majeſty's Forces in this Colony.*
Paſs'd the 25th of February, 1745.

Continued, Chap. 839.

CHAP. DCCCXIX.

An ACT *for giving a Reward for ſuch Scalps and Priſoners of the Enemy, as ſhall be taken by the Inhabitants of (or Indians in Alliance with) this Colony, and to prevent the Inhabitants of the City and County of* Albany, *from ſelling Rum to the Indians.*
Paſs'd the 25th of February, 1745.

Obſolete.

CHAP. DCCCXX.

An ACT *to raiſe, levy and collect, the Sum of* Thirty-ſix Pounds, *on the City and County of* New-York, *for the Services therein mentioned.*
Paſs'd the 25th of February, 1745.

Private.

CHAP. DCCCXXI.

An ACT *for raiſing the Sum of* Forty-five Pounds, *on the Townſhip of* Schenectady, *for defraying the Charge of keeping in Repair, the Fortifications of the ſaid Town.*
Paſs'd the 25th of February, 1745.

Expired 1ſt of *February*, 1748.

The Eighteenth ASSEMBLY.

SECOND SESSION.

19th *GEORGE* II. A. D. 1746.

CHAP. DCCCXXII.

An ACT *for the further Proviſion for the fortifying the City of* New-York, *in Amendment of two Acts paſſed for that Purpoſe, therein mentioned.*
Paſs'd the 3d of May, 1746.

The Acts mentioned in this, are Chap. 817, *and* 823. Obſolete.

CHAP. DCCCXXIII.

An ACT *to prolong the Time limited for drawing the Lottery appointed in and by an Act, entitled,* An *Act* for raiſing the Sum of *Three Thouſand Three Hundred and Seventy-five Pounds,* by a publick Lottery for this Colony, for the more effectual fortifying the City of *New-York.*
Paſs'd the 3d of May, 1746.

See Chap. 817. Expired 1ſt of *June*, 1746.

19th *GEORGE* II.
A. D. 1746.

CHAP. DCCCXXIV.

An ACT *for taking Affidavits in the ſeveral Counties within this Colony, to be made Uſe of in the Supreme Court; and impowering the Attornies of the Supreme Court to practiſe in the Mayor's Court of the City of* New-York.

Paſs'd the 3d of May, 1746.

Preamble.

FOR the greater Eaſe and Benefit of all Perſons whatſoever, in the taking Affidavits, to be made Uſe of, and read in the Supreme Court of this Colony, in all Matters and Cauſes whatſoever, depending, or to be depending in the ſaid Supreme Court, or any wiſe concerning the Proceedings of, or in the ſame:

Perſons to be impowered by the Judges of the Supreme Court, to take Affidavits in the Counties.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the Chief Juſtice, and other the Juſtices of the Supreme Court, for the Time being, or any two of them, whereof the Chief Juſtice for the Time being, to be one, ſhall and may, by one or more Commiſſion or Commiſſions, under the Seal of the ſaid Supreme Court, from Time to Time, as Need ſhall require, impower ſuch and ſo many Perſons as they ſhall think fit and neceſſary, in all and every the ſeveral Counties within this Colony, to take and receive all and every ſuch Affidavit and Affidavits, as any Perſon or Perſons ſhall be willing and deſirous to make, before any of the Perſons ſo impowered, in or concerning any Cauſe, Matter or Thing depending, or hereafter to be depending, or any wiſe concerning any of the Proceedings to be in the ſaid Supreme Court, as Maſters of Chancery in Extraordinary, uſe to do; which ſaid Affidavits taken as aforeſaid, ſhall be filed with the proper Officer of the ſaid Court, and then be read and made Uſe of in the ſaid Supreme Court, to all Intents and Purpoſes, as other Affidavits taken in the ſaid Supreme Court, now are; and that all and every Affidavit and Affidavits, taken as aforeſaid, ſhall be of the ſame Force as Affidavits taken in the ſaid Supreme Court, now are; and all and every Perſon and Perſons, forſwearing him, her or themſelves, in ſuch Affidavit or Affidavits, ſhall incur, and be liable unto the ſame Penalties, as if ſuch Affidavit or Affidavits, had been made and taken in open Court: *Provided*, That for the taking of every ſuch Affidavit, the Perſon or Perſons ſo impowered and taking the ſame, ſhall, for ſo doing, receive only ſo much as was uſually taken before this Act, by the Chief Juſtice, or other Juſtices of the ſaid Supreme Court, as a Fee or Reward for taking ſuch Affidavit or Affidavits.

Which ſhall be valid as Affidavits taken in ſaid Court.

The Fee of him that takes ſuch Affidavit, equal to the Fee of one of the Judges.

Attornies of the Supreme Court may practice in the Mayor's Court of *New-York*.

II. **And be it further Enacted** *by the Authority aforeſaid,* That all and every the Attornies of the Supreme Court, ſhall and may commence, proſecute or defend, any Action or Suit, for his or their Clients, in the Mayor's Court of the City of *New-York*, notwithſtanding the Charter of the ſaid City, and the Act of the Governor, the Council and General Aſſembly of this Colony, for confirming the ſame, or any Franchiſe, Letters Patents, Uſage or Cuſtom to the contrary thereof †.

CHAP.

† *Quere, whether the Attornies of the Supreme Court, had not this Privilege before, by Chap.* 799, § 2?

19th *GEORGE* II. A. D. 1746.

CHAP. DCCCXXV.

An ACT *for Raiſing a Supply of the Sum of* Thirteen Thouſand Pounds, *by a Tax on Eſtates real and perſonal, for the more effectual Fortifying this Colony; for the Emitting Bills of Credit for the like Sum, for the immediate Anſwering the neceſſary Services; and for ſinking and cancelling the ſaid Bills, at the ſeveral ſhort Periods therein mentioned.*

Made more effectual, by Chap. 845.

Paſs'd the 3d of May, 1746.

Preamble.

WHEREAS by Reaſon of the preſent War, it is become abſolutely neceſſary, as well for the Honour of his Majeſty, as the Security of this Colony, to provide Means more effectually to fortify and defend it againſt any Attempts of the Enemy;

The Sum of 13,000 *l.* to be raiſed by a Tax on all Eſtates real and perſonal within this Colony, and collected in the Manner and Proportions herein directed.

I. ‖ **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That there ſhall be given and granted unto his Majeſty, his Heirs and Succeſſors, to and for the Uſes and Purpoſes herein mentioned, and to no other Uſe or Purpoſe whatſoever, the Sum of *Thirteen Thouſand Pounds*; which ſhall be aſſeſſed, raiſed and levied, upon the Eſtates real and perſonal, of all and every the Freeholders, Inhabitants and Reſidents within this Colony, and ſhall be collected and paid in Manner following; *that is to ſay*; The Sum of *Four Thouſand three Hundred and Thirty-three Pounds, Six Shillings and Eight Pence*, on or before the firſt *Tueſday* of *November* next; the like Sum of *Four Thouſand three Hundred and Thirty-three Pounds, Six Shillings and Eight Pence*, on or before the firſt *Tueſday* of *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-ſeven; and the like Sum of *Four Thouſand three Hundred and Thirty-three Pounds, Six Shillings and Eight Pence*, on or before the firſt Tueſday of *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-eight: Which ſaid Sum of *Four Thouſand three Hundred and Thirty-three Pounds, Six Shillings and Eight Pence*, hereby appointed to be annually paid on the Days and Times before mentioned, ſhall be yearly raiſed, levied and paid, by the Freeholders, Inhabitants and Reſidents, in the ſeveral and reſpective Cities and Counties within this Colony, during the three Years before mentioned, according to the Quotas and Proportions following, *that is to ſay*;

In the City and County of *New-York*, the Sum of *One Thouſand Four Hundred and Forty-four Pounds, Eight Shillings and Eleven Pence*, yearly, and every Year, during the ſaid three Years.

In the City and County of *Albany*, the Sum of *Six Hundred and Twenty-two Pounds, three Shillings and nine Pence half-penny*, yearly, and every Year, during the ſaid Term.

In *Kings* County, the Sum of *Two Hundred and Fifty-four Pounds, eighteen Shillings and one half-penny*, yearly, and every Year, during the ſaid Term.

In *Queens* County, the Sum of *Four Hundred and Eighty-ſeven Pounds, nine Shillings and five Pence half-penny*, yearly, and every Year, during the ſaid Term.

In *Suffolk* County, the Sum of *Four Hundred and Thirty-three Pounds, ſix Shillings and eight Pence*, yearly, and every Year, during the ſaid Term.

In *Richmond* County, the Sum of *One Hundred and Thirty-one Pounds, ſix Shillings and three Pence Half-penny*, yearly, and every Year, during the ſaid Term.

In

‖ *Proviſion made for collecting Arrears of Taxes laid by this Act, Chap.* 845, poſt.

19th *GEORGE* II. A. D. 1746.

In *Weſtcheſter* County, the Sum of *Two Hundred and Forty Pounds, fourteen Shillings and eight Pence Half-penny*, yearly, and every Year, during the ſaid Term.

In *Ulſter* County, the Sum of *Three Hundred and Ninety-three Pounds, eighteen Shillings and Nine Pence Half-penny*, yearly, and every Year, during the ſaid Term.

In *Orange* County, the Sum of *One Hundred and Forty-four Pounds, eight Shillings and Ten Pence half-penny*, yearly, and every Year, during the ſaid Term.

And, in *Dutcheſs* County, the Sum of *One Hundred and Eighty Pounds, eleven Shillings and one Penny Half-penny*, yearly, and every Year, during the ſaid Term.

II. AND to the End the full Sum intended to be raiſed by Virtue of this Act, may be effective and compleat; **Be it Enacted** *by the Authority aforeſaid*, That over and above the ſeveral Quotas before mentioned, ſhall be raiſed, aſſeſſed, levied, and collected, the reſpective Sums following; *That is to ſay*; on the Quota for the City and County of *New-York*, the Sum of *Nine-pence* over and above every *Pound*; to be retained in the Hands of the ſeveral Collectors, as a Reward for their Trouble in collecting and paying the ſame to the Treaſurer of this Colony; and on the Quotas for the City and County of *Albany*, and all other Counties in this Colony, the Sum of *One Shilling*, over and above every *Pound*; out of which the ſeveral Collectors may retain in their Hands the Sum of *Nine-pence* on each *Pound*, for collecting and paying the ſame to the ſeveral County Treaſurers; and the remaining *Three-pence*, the County Treaſurers reſpectively, may retain in their Hands, as a Reward for their Trouble and Service in receiving and paying the Monies ariſing by this Act, to the Treaſurer of this Colony.

Allowances to the Collectors for collecting the Money.

III. AND to the End Aſſeſſments may be made in ſuch convenient Time, by the Aſſeſſors, that the Sum intended to be raiſed by this Act, may be collected and paid at the Times herein after mentioned and appointed; and that the Aſſeſſments may be truly, equally, and impartially made, as of Right they ought to be; **Be it Enacted** *by the Authority aforeſaid*, That the Mayor, Recorder and Aldermen, of the City and County of *New-York*, or the greater Part of them, for the Time being, ſhall meet and aſſemble at the City-Hall of the ſaid City, on the firſt Tueſday of *June*, in every Year, during the ſaid three Years, and then and there iſſue their Warrants to the ſeveral and reſpective Aſſeſſors aforeſaid, to take a true and exact Account of all the Eſtates real and perſonal, of all the Freeholders, Inhabitants and Reſidents within the ſeveral Wards of the ſaid City and County, for which they at the Time of iſſuing ſuch Warrants, ſhall be Aſſeſſor or Aſſeſſors; and a true, equal and impartial Aſſeſſment to make, and the ſame at a Day in the ſaid Warrants to be prefixed by the Mayor, Recorder and Aldermen, or the major Part of them then met, to exhibit; and when the ſaid Aſſeſſments are by the ſaid Aſſeſſors compleated, and a full Account of the ſame truly caſt up, according to the Pound Value of the ſaid Eſtates, ſo that the Quota, with the Allowance for the City and County of *New-York*, be apparent and made known; then the ſaid Mayor, Recorder and Aldermen, or the major Part of them, ſhall iſſue their Warrants to the ſeveral and reſpective Collectors, within the ſaid City and County, to collect the Quota, with the Allowance by this Act directed; and that the ſame be paid unto the Treaſurer of this Colony, on or before the firſt Tueſday of *November*, yearly, and every Year, during the ſaid Term of three Years.

In what Manner the Aſſeſſments and Collections are to be made for the City and County of *New-York*.

IV. AND in order that the Aſſeſſments may be truly, equally and impartially made and done; **Be it Enacted** *by the Authority aforeſaid*, That every Aſſeſſor that now is, or hereafter ſhall be choſen and elected within the City and County of *New-York*, ſhall, before he enters upon the Performance of the Duty and Service required of him by this Act, take an Oath upon the Holy Evangeliſts of Almighty God, in the Words following, *to wit*.

Aſſeſſors to take an Oath.

I. A. B.

I A. B. *do ſwear, That I will well and truly, equally, impartially, and in due Proportion, according to the beſt of my Skill, Knowledge and Underſtanding, aſſeſs and rate all the Freeholders, Inhabitants and Reſidents of the Ward for which I am choſen an Aſſeſſor.*

WHICH Oath, the ſaid Mayor, Recorder and Aldermen, are impowered to adminiſter; and the ſaid Mayor, Recorder and Aldermen, or the major Part of them met, are hereby required and directed to adminiſter the ſame.

V. AND for the effectual aſſeſſing, collecting and paying the reſpective Quotas for the City and County of *Albany*, and all the other Counties in this Colony, together with the before mentioned Allowance to the Collectors and County Treaſurers; **Be it Enacted** *by the Authority aforeſaid*, That the Supervizors of the ſaid City and County, and of all the other reſpective Counties in this Colony, or the major Part of them reſpectively, ſhall meet on the firſt Tueſday of *June* in every Year, during the ſaid Term; where the Majority of Supervizors reſpectively, ſhall cauſe the reſpective Quotas and Allowances aforeſaid, of each County, to be raiſed, aſſeſſed, levied and collected, in the ſame Manner as the other neceſſary and contingent Charges thereof are; and the reſpective Collectors are hereby required and enjoined to pay the reſpective Quotas to be collected by them, unto the reſpective County-Treaſurers, on or before the firſt Day of *October*, yearly, and every Year, during the ſaid Term; and each of ſuch County Treaſurers are hereby enjoined and required to pay the reſpective Quotas of their Counties, to the Treaſurer of this Colony, on or before the firſt Tueſday in *November* then next following, during the ſaid Term.

Manner in which the other Counties are to make their Aſſeſſments and Collections.

VI. **And be it Enacted** *by the Authority aforeſaid*, That ſuch Mayor, Recorder, Aldermen, Supervizors, Aſſeſſors, Collectors or County Treaſurer, within this Colony, as ſhall deny, refuſe, neglect or delay, to do, perform and execute, all or any of the Powers, Duties and Authorities, by this Act required of him or them to be done, and ſhall thereof be lawfully convicted in any of his Majeſty's Courts of Record; he or they ſhall ſuffer ſuch Pains, by Fine and Impriſonment, as by the Diſcretion of ſuch Court or Courts ſhall be adjudged.

Penalty on any Officer refuſing or neglecting the Duty required by this Act.

VII. **And be it Enacted** *by the Authority aforeſaid*, That the Monies intended and directed to be raiſed by this Act, ſhall, by the Treaſurer of this Colony, for the Time being, be paid and applied to the following Uſes and Purpoſes, and to no other Uſe or Purpoſe whatſoever, *That is to ſay*,

[*Here follow the Payments directed to be made by this Act, which we thought not neceſſary to be printed.*]

To what Purpoſes the Monies raiſed by this Act are to be applied.

VIII. **And be it Enacted** *by the Anthority aforeſaid*, That there ſhall be lodged in the Treaſury, for the Payment of the Commiſſioners appointed to treat with the Commiſſioners of the neighbouring Colonies, touching the Conduct of the War, the Sum of *One Hundred Pounds*; to be paid in Manner following, *viz.* For three of them, for every Day they ſhall attend that Service out of the Colony, the Sum of *Twenty Shillings per Diem*, each, and for every Day they ſhall attend that Service within the Colony, the Sum of *Ten Shillings per Diem*, each.

Allowance for the Commiſſioners appointed to treat with thoſe of the neighbouring Colonies.

IX. AND to the End the aforeſaid *Philip Schuyler* and *Edward Collins*, may be encouraged to do and perform the ſeveral and reſpective Services by this Act required to be done and performed by them reſpectively; **Be it Enacted** *by the Authority aforeſaid*, That the Treaſurer ſhall pay unto them, the Sum of *Two Pounds*, on every *Hundred Pounds* they ſhall employ by Virtue of this Act, and in that Proportion for a greater or leſſer Sum, as a Reward for their Care and Trouble, in the ſeveral and reſpective Services hereby required to be done and performed by them.

Allowance of two per Cent. to Col. *Schuyler* and Maj. *Collins*.

X. And

19th *GEORGE* II. A. D. 1746.

The aforeſaid Sums to be paid by Warrants.

X. **And be it further Enacted** *by the Authority aforeſaid*, That the ſeveral and reſpective Sums hereby directed to be paid, ſhall be by Warrants ſigned by the Governor, or Commander in Chief for the Time being, in Council, by and with their Advice and Conſent.

Allowances for ſpecial Services.

XI. **And be it Enacted** *by the Authority aforeſaid*, That for anſwering ſuch extraordinary Contingencies as may happen for the Service of this Colony, during the Space of one Year from the Commencement of this Act, Warrants may iſſue from Time to Time, for the ſame, on the Treaſurer, if drawn by the Governor, with the Advice and Conſent of the Council; which the Treaſurer is hereby ordered and directed to pay out of the Monies to be raiſed by this Act; *provided*, the whole Amount of ſuch Warrants during the ſaid Time, do not exceed the Sum of *One Hundred Pounds*; and if no Part, or only Part thereof, be required for ſuch ſpecial Services, either the Whole or the Reſidue ſhall remain in the Treaſury.

Allowances for Scalps or Priſoners of the Enemy.

XII. **And be it Enacted** *by the Authority aforeſaid*, That the Treaſurer ſhall pay, for ſuch Scalps and Priſoners of the Enemy as ſhall be taken by the Inhabitants of (or Indians in Alliance with) this Colony, upon proper Certificates produced to him, ſigned by the Commiſſioners of Indian Affairs at *Albany*, or the major Part of them, according to the Direction of an Act, entitled, *An* Act *for giving a Reward for ſuch Scalps and Priſoners of the Enemy, as ſhall be taken by the Inhabitants of (or Indians in Alliance with) this Colony; and to prevent the Inhabitants of the City and County of* Albany, *from ſelling Rum to the Indians*; provided the whole Amount of ſuch Certificates, exceed not the Sum of *Three Hundred and three Pounds, one Shilling and nine Pence*: And if no Part, or only Part thereof, ſhall be required for that Service, either the Whole or the Reſidue ſhall remain in the Treaſury, to be diſpoſed of by Act or Acts hereafter to be paſſed for that Purpoſe.

Col. *Schuyler* and Major *Collins* to enter into Recognizances for the due Application of the Monies to be received by them.

XIII. **And be it Enacted** *by the Authority aforeſaid*, That they, the aforeſaid *Philip Schuyler* and *Edward Collins*, ſhall, before they receive any Part of the Monies hereby directed to be paid unto them, enter into the following Recognizance, to our Sovereign Lord the King, his Heirs and Succeſſors; *that is to ſay*; each of them, before the Mayor of the City of *Albany*, in the Sum of *Three Thouſand Pounds*, with two ſufficient Sureties, each in half that Sum; Conditioned, That they ſhall well and truly, each for his Part, employ and apply the Monies ſo to be received by them, as aforeſaid, to, and for the ſeveral and reſpective Uſes and Purpoſes directed by this Act; and well and duly to obſerve, do, and perform, all the Directions hereby required to be obſerved, done, and performed by them, according to the true Intent and Meaning thereof. Which ſeveral Recognizances are to be delivered into the Supreme Court, there to be filed and recorded by the ſaid Mayor, in order to be lodged in the Treaſury.

Which Recognizances are to be put in Suit on Failure.

XIV. **And be it Enacted** *by the Authority aforeſaid*, That if either of the before-named *Philip Schuyler* and *Edward Collins*, ſhall fail in employing and applying the Money ſo to be received by them, in Manner, and for the reſpective Uſes directed by this Act; or omit to obſerve, do, and perform what is hereby required to be obſerved, done, and performed by them; in ſuch Caſe or Caſes, the ſaid Recognizances ſhall be proceeded upon in due Form of Law, againſt ſuch Offender or Offenders, or his or their Sureties, in the Supreme Court of this Colony, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be allowed; and the Money to be recovered in Conſequence thereof, ſhall be paid into the Treaſury of the ſaid Colony;

Colony, and be applied to, and for ſuch Uſes as ſhall be hereafter directed by Act or Acts to be paſſed for that Purpoſe.

XV. **And be it Enacted** *by the Authority aforeſaid*, That of the due Diſpoſition and Application of the ſeveral Sums above-mentioned, the ſaid *Philip Schuyler* and *Edward Collins*, ſhall keep exact Books, and render true and diſtinct Accounts thereof, upon Oath, to the Governor, or Commander in Chief, for the Time being, to the Council, or to the General Aſſembly, when by them, or any of them thereunto required.

Alſo to keep exact Books.

XVI. **And be it Enacted** *by the Authority aforeſaid*, That if either the ſaid *Philip Schuyler*, or *Edward Collins*, ſhould happen to die, remove out of this Colony, or refuſe to act, according to the ſeveral and reſpective Powers and Authorities hereby directed and required, it ſhall and may be lawful, to and for the Governor, or Commander in Chief for the Time being, by and with the Advice and Conſent of his Majeſty's Council, to nominate and appoint ſome other fit Perſon or Perſons, in the Place and Stead of him or them, ſo dying, removing, or refuſing to act, as aforeſaid; any Thing herein contained to the contrary notwithſtanding. *Provided*, That the Perſon or Perſons who may be ſo appointed, ſhall be obliged to enter into the like Recognizances, with the like Sureties, as is herein directed to be done by the aforeſaid *Philip Schuyler* and *Edward Collins*, before he or they may be intitled to receive any Part of the Money herein mentioned; and in all other Reſpects, be as ſubject to obſerve, do, and perform, the ſeveral Directions of this Act, as if he or they had been named and appointed in it.

If Col. *Schuyler* or Major *Collins*, die or refuſe to Act, another Perſon is to be appointed.

XVII. AND WHEREAS the Money herein before directed to be raiſed for the preſent extraordinary Services and Exigencies of the Government, over and above the conſtant annual Sums granted for the Support thereof, if levied within the Year, would together, be a Burden too heavy and exceſſive on the Inhabitants of this Colony; or if raiſed within the Year, cannot be collected and paid to the Treaſurer of this Colony, ſo ſoon as will be neceſſary to anſwer the Purpoſes intended: In order therefore, to make a more effectual and ſpeedy Proviſion for all the Services aforeſaid, the General Aſſembly pray it may be Enacted; and, **Be it Enacted** *by the Authority aforeſaid*, That Bills of Credit to the Value of *Thirteen Thouſand Pounds*, be forthwith printed, made and iſſued, upon the Credit of the Money to be raiſed and levied by Virtue of this Act; *that is to ſay*; Six Hundred and Fifty Bills, of the Value of *Ten Pounds*, each Bill; Six Hundred and Fifty Bills, of the Value of *Five Pounds*, each Bill; Six Hundred and Fifty Bills, of the Value of *Three Pounds*, each Bill; and, Six Hundred and Fifty Bills, of the Value of *Two Pounds*, each Bill. Upon each and every of which Bills, ſhall be impreſſed on the left Side thereof, the Arms of the City of *New-York*, and ſhall be in the Form following, *that is to ſay*;

Bills of Credit to anſwer the immediate Payment of the foregoing Sums to be printed, &c.

Number of Bills.

BY *a Law of the Colony of* New-York, *this Bill ſhall paſs current for* New-York, *the Tenth of* May, *One Thouſand Seven Hundred and Forty-ſix.*

Form of the Bills.

WHICH Bills ſhall be ſigned by Major *Cornelius Vanhorne*, *Paul Richard*, *Henry Cruger*, and *Robert Livingſton*, jun. Eſqrs. or any three of them, and be numbred by one of them; and in Caſe of the Death of any of the ſaid Perſons, the ſaid Bills ſhall be ſigned by the Majority of the Survivors of them.

Signer's Names.

XVIII. **And be it Enacted** *by the Authority aforeſaid*, That *Abraham De Peyſter*, the preſent Treaſurer of this Colony, in whoſe Hands the Stamps of the Arms of the City of *New-York*, and the other Plates, are depoſited, ſhall, in the Preſence of the Signers aforeſaid, or the major Part of them, deliver them unto *James Parker*, Printer; who is hereby appointed to print the ſaid Bills,

The Treaſurer to deliver the Stamps of the Bills to the Printer, &c.

19th *GEORGE* II. A. D. 1746.

Bills, and on them to impreſs, the ſaid Arms and Plates; which, when done, the ſaid *James Parker*, ſhall re-deliver to the ſaid Treaſurer, the ſaid Stamps and Plates, in the Preſence of the Signers aforeſaid, or the major Part of them; and the Receipt of the ſaid Treaſurer, ſhall be to the ſaid Printer, a ſufficient Diſcharge for the ſame; and the ſaid Printer is hereby required and directed, to deliver to the Signers hereby appointed to ſign the ſaid Bills, every Bill of Credit by him printed; and ſhall upon his Delivery of the ſaid Bills, take an Oath, *That the Bills of Credit by him then delivered, are all the Bills of Credit by him printed by Virtue of this Act; and that neither he, the ſaid Printer, nor any other Perſon, by his Conſent, Privity or Procurement, has, directly or indirectly, printed any other, or more of them, than are there by him delivered.* Which Oath, all or any of the ſaid Signers are, and is hereby impowered, required and directed, to adminiſter.

The Printer's Oath.

XIX. **And be it Enacted** *by the Authority aforeſaid,* That the Perſons herein appointed for ſigning the ſaid Bills of Credit, ſhall take an Oath before a Magiſtrate of the City of *New-York*, each of them, *Well and truly to perform what by this Act they are enjoined as their Duty; and will knowingly ſign no more Bills of Credit, than what by this Act is directed.* And if it ſhall happen, that any ſupernumerary Bills ſhall be left, after the ſaid Number ſhall be delivered to the Treaſurer, in Manner aforeſaid, all ſuch ſupernumerary Bills, ſhall be burnt and deſtroyed by the ſaid Signers, in the Preſence of the Treaſurer of this Colony.

The Signers Oath.

XX. **And be it Enacted** *by the Authority aforeſaid,* That the Bills of Credit enacted and appointed by this Act to be current, ſhall be received by the Treaſurer of this Colony, in all publick Payments, and for any Fund, at any Time in the Treaſury, and by any Perſon within this Colony, in all Caſes whatſoever, during the Time they are enacted to continue, and be as effectually current, as any other Bills of Credit made current in this Colony, by any Act of the Governor, Council and General Aſſemby; and any Perſon or Perſons refuſing to take them in Payment (during the Time hereby appointed for the ſaid Bills to be current) for any Sum due, or hereafter to become due, or for any Contract already made, or hereafter to be made, or for any Conſideration whatſoever, for any Effects or Services already delivered or performed, or hereafter to be delivered and performed; ſhall be liable, and is and are made liable and ſubjected to all the Penalties and Forfeitures contained in any Act or Acts of the Governor, Council and General Aſſembly of this Colony, at any Time enacting and enforcing the Currency of Bills of Credit, as fully, to all Intents, Conſtructions and Purpoſes whatſoever, as if the Words of all or any of the Acts aforeſaid, relating to the Bills of Credit, or enacting and enforcing the Currency of the Bills of Credit in them mentioned, had been particularly expreſs'd or tranſcribed, and herein and hereby enacted.

The Currency of theſe Bills.

XXI. **And be it Enacted** *by the Authority aforeſaid,* That if any Perſon or Perſons whatſoever, ſhall preſume to counterfeit any of the Bills of Credit made current by this Act, or ſhall alter any of the ſaid Bills made current, as aforeſaid, ſo that they ſhall appear to be of greater Value than by this Act the ſame Bill or Bills ſo altered, were enacted, ſigned or numbered to paſs current for, or ſhall knowingly paſs, or give in Payment any of the Bills aforeſaid, ſo counterfeited or altered; every Perſon guilty of counterfeiting or altering any of the ſaid Bills as aforeſaid, or of knowingly paſſing or giving in Payment any ſuch counterfeit or altered Bills, ſhall be guilty of Felony; and being thereof convicted, ſhall ſuffer the Pains of Death, without the Benefit of Clergy: And though ſuch counterfeiting, altering, or knowingly paſſing counterfeit or altered Bills, ſhall be done out of this Colony; yet any Grand Jury within the

Counterfeiting, altering or paſſing theſe Bills, knowing them to be counterfeited or altered to ſuffer Death.

the City and County of *New-York*, is hereby impowered to preſent the ſame, and to ſet forth in the Indictment, the Place where, by their Evidence, it appeared that the Fact was committed; which Indictment is hereby declared good, notwithſtanding that the Place alledged be out of this Colony; and the Petty Juries on the Trials of ſuch Iſſues, ſhall be returned from the Body of the City and County of *New-York*; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

The Indictment may charge the Offence to be done in the City of *New-York*.

[*The Twenty-ſecond* §, *relating to the Cancelling the Bills, is* repealed, *and provided for, by Chap.* 861, § 1.]

XXIII. AND whereas it may ſo happen, that ſome of the ſaid Bills may, after the ſaid firſt Tueſday of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-eight, be and remain in the Hands of private Perſons, ſo that they cannot conveniently be brought to the Treaſurer of this Colony, in order to be deſtroyed on the ſaid firſt Tueſday of *January*, which will be in the Year of our Lord, One Thouſand Seven Hundred and Forty-eight; **Be it therefore Enacted** *by the Authority aforeſaid*, That any Perſon or Perſons who ſhall, on the ſaid firſt Tueſday of *January*, or on or before the firſt Tueſday of *July*, which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-Nine, bring and deliver to the Treaſurer of this Colony for the Time being, any Bill or Bills made current by this Act; every Perſon ſo bringing and delivering any ſuch Bill or Bills, ſhall, by the ſaid Treaſurer, be paid the full Value of them, out of the Funds or publick Money in his Hands, at the Time of bringing and delivering ſuch Bill or Bills; which ſaid Bill or Bills, ſo brought in and delivered to the Treaſurer, ſhall be by him, in the Preſence of the Signers aforeſaid, ſunk, cancelled and deſtroyed, on or before the ſecond Tueſday of *July*, which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-nine; after which Day the ſaid Treaſurer is not to exchange any of the Bills made current by this Act; nor take them in Payment longer than till the firſt Tueſday of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-eight.

The Time limited for the ſaid Bills to be current.

XXIV. AND that it may be truly known, what Number and Value of Bills are ſunk, cancelled and deſtroyed, at any Time or Times mentioned in this Act, or ſinking, cancelling, and deſtroying the ſaid Bills; **Be it Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony, at every of the reſpective Times herein mentioned, ſhall keep a true and perfect Account of all ſuch Bills by him received and deſtroyed; which Account he ſhall render upon Oath, if thereunto required, by the Governor, or Commander in Chief for the Time being, the Council and General Aſſembly, or by any of them.

The Treaſurer to keep Account of what Bills ſhall be ſunk.

XXV. **And be it Enacted** *by the Authority aforeſaid*, That the ſaid Treaſurer ſhall keep exact and true Books and Accounts, of all the Receipts and Payments to be made by him, by Virtue of this Act, diſtinguiſhing therein the ſeveral and reſpective Uſes and Services, according to the true Intent and Meaning of this Act; and that he ſhall render Accounts thereof upon Oath, to the Governor or Commander in Chief for the Time being, the Council, or the General Aſſembly, when by them, or any of them thereunto required.

And exact Books of Payments, &c.

CHAP. DCCCXXVI.

An ACT *for eſtabliſhing a Military Watch for the City and County of* Albany.

Paſs'd the 3d of May, 1746.

Continued, &c. Chap. 835.

20th *GEORGE* II. A. D. 1746.

Expired the 1st *September*, 1746.

CHAP. DCCCXXVII.

An ACT *to prevent the Exportation of Proviſions, Gun-Powder, Arms, all Kinds of Ammunition and warlike Stores; and white Pine Inch Boards.*

Paſs'd the 17th of June, 1746.

CHAP. DCCCXXVIII.

See Chap. 827. Obſolete.

An ACT *for the more effectual preventing the Exportation of Proviſions and warlike Stores.*

Paſs'd the 15th of July, 1746.

CHAP. DCCCXXIX.

Obſolete.

An ACT *to revive and continue the ſeveral Actions, Pleadings, Proceſſes and Proceedings, which were commenced and depending in the late Inferior Court of Common-Pleas for* Weſt-cheſter *County.*

Paſs'd the 15th of July, 1746.

CHAP. DCCCXXX.

Obſolete.

An ACT *for the fixing and determining the Drawing of the publick Lottery for this Colony, on or before the firſt Day of* September *next.*

Paſs'd the 15th of July, 1746.

CHAP. DCCCXXXI.

Obſolete.

An ACT *for the Encouraging of Volunteers to inliſt into his Majeſty's Service, upon the Expedition againſt* Canada.

Paſs'd the 15th of July, 1746.

CHAP. DCCCXXXII.

Made more effectual by Chap. 845.

An ACT *for raiſing a Supply of* Forty Thouſand Pounds, *by a Tax on Eſtates real and perſonal, for carrying on an Expedition againſt the* French *in* Canada; *for emitting Bills of Credit for the like Sum, and for ſinking and cancelling the ſaid Bills in ſhort Periods, and for other Purpoſes therein mentioned.*

Paſs'd the 15th of July, 1746.

Preamble.

FORASMUCH as his Moſt Excellent Majeſty, has been graciouſly pleaſed to order an Expedition againſt the *French* Settlements in *Canada*; and his Majeſty's Pleaſure being ſignified, by his Grace the Duke of *New-Caſtle*, to his Excellency, to recommend it to the Council and Aſſembly of *New-York*, to provide a ſufficient Quantity of Proviſions for the Subſiſtence of the Troops; this his loyal Colony of *New-York*, being willing, rather to exceed, than fall ſhort in Supplies on this important Occaſion;

I. Be

20th *GEORGE* II. A. D. 1746.

The Sum of 40,000 *l.* to be raiſed by a Tax on all Eſtates real and perſonal within this Colony, and collected in the Manner and Proportions herein directed.

I. ‡ **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That there ſhall be given and granted unto his Majeſty, his Heirs and Succeſſors, to and for the Uſes and Purpoſes herein mentioned, and to no other Uſe or Purpoſe whatſoever, the Sum of *Forty Thouſand Pounds*, which ſhall be aſſeſſed, raiſed and levied, upon the Eſtates real and perſonal, of all and every the Freeholders, Inhabitants and Reſidents, within this Colony, and ſhall be collected and paid in Manner following, *that is to ſay*; The Sum of *Five Thouſand Pounds*, on or before the firſt Tueſday of *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-nine; the like Sum of *Five Thouſand Pounds*, on or before the firſt Tueſday of *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty; the like Sum of *Five Thouſand Pounds*, on or before the firſt Tueſday of *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-one; the like Sum of *Five Thouſand Pounds*, on or before the firſt Tueſday of *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-two; the like Sum of *Five Thouſand Pounds*, on or before the firſt Tueſday of *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-three; the like Sum of *Five Thouſand Pounds*, on or before the firſt Tueſday of *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-four; the like Sum of *Five Thouſand Pounds*, on or before the firſt Tueſday of *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-five; and the like Sum of *Five Thouſand Pounds*, on or before the firſt Tueſday of *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-ſix: Which ſaid Sum of *Five Thouſand Pounds*, hereby appointed to be annually paid on the Days and Times before mentioned, ſhall be yearly raiſed, levied and paid, by the Freeholders, Inhabitants and Reſidents, in the ſeveral and reſpective Cities and Counties within this Colony, during the eight Years above mentioned, according to the Quotas and Proportions following, *that is to ſay*;

In the City and County of *New-York*, the Sum of *One Thouſand ſix Hundred and ſixty-ſix Pounds, thirteen Shillings and four Pence*, yearly, and every Year, during the ſaid eight Years.

In the City and County of *Albany*, the Sum of *Seven Hundred and fourteen Pounds, five Shillings and eight Pence half-penny*, yearly, and every Year, during the ſaid Term.

In *Kings* County, the Sum of *Two Hundred and ninety-four Pounds, two Shillings and Four-pence farthing*, yearly, and every Year, during the ſaid Term.

In *Queens* County, the Sum of *Five Hundred and ſixty-one Pounds, ſeven Shillings and two Pence farthing*, yearly, and every Year, during the ſaid Term.

In *Suffolk* County, the Sum of *Five Hundred Pounds*, yearly, and every Year, during the ſaid Term.

In *Richmond* County, the Sum of *One Hundred and Fifty-ſix Pounds, five Shillings*, yearly, and every Year, during the ſaid Term.

In *Weſtcheſter* County, the Sum of *Two Hundred and Seventy-ſeven Pounds, fifteen Shillings and ſeven Pence*, yearly, and every Year, during the ſaid Term.

In *Ulſter* County, the Sum of *Four Hundred and Fifty-four Pounds, ten Shillings and ten Pence*, yearly, and every Year, during the ſaid Term.

In *Dutcheſs* County, the Sum of *Two Hundred and eight Pounds, ſix Shillings and eight Pence*, yearly, and every Year, during the ſaid Term.

And, in *Orange* County, the Sum of *One Hundred and ſixty-ſix Pounds, thirteen Shillings and four-Pence*, yearly, and every Year, during the ſaid Term.

‡ *Proviſion made for the more effectual collecting of Taxes, laid by this Act*, Chap. 845.

II. AND

20th *GEORGE* II. A. D. 1746.

Allowances to the Collectors for collecting the Money.

II. AND to the End, the full Sum intended to be raiſed by this Act, may be effective and compleat; **Be it Enacted** *by the Authority aforeſaid*, That over and above the ſeveral Quotas above mentioned, ſhall be raiſed, aſſeſſed, levied, and collected, the reſpective Sums following; *That is to ſay*; on the Quota for the City and County of *New-York*, the Sum of *Nine-pence* over and above every *Pound*; to be retained in the Hands of the ſeveral Collectors, as a Reward for their Trouble in collecting and paying the ſame to the Treaſurer of this Colony; and on the Quotas for the City and County of *Albany*, and all other the Counties in this Colony, the Sum of *One Shilling*, over and above every *Pound*; out of which the ſeveral Collectors may retain in their Hands, the Sum of *Nine-pence* on each *Pound*, for collecting and paying the ſame to the ſeveral County Treaſurers; and the remaining *Three-pence*, the County Treaſurers reſpectively, may retain in their Hands, as a Reward for their Trouble and Service in receiving and paying the Monies ariſing by this Act, to the Treaſurer of this Colony.

And to the Treaſurers.

In what Manner the Aſſeſſments & Collections are to be made for the City and County of *New-York*.

III. AND to the End Aſſeſſments may be made in ſuch convenient Time, by the Aſſeſſors, that the Sums intended to be raiſed by this Act, may be collected and paid at the Times herein after mentioned and appointed; and that the Aſſeſſments may be truly, equally, and impartially made, as of Right they ought to be; **Be it Enacted** *by the Authority aforeſaid*, That the Mayor, Recorder and Aldermen, of the City and County of *New-York*, or the greater Part of them, for the Time being, ſhall meet and aſſemble at the City-Hall of the ſaid City, on the firſt Tueſday in *June*, in every Year, during the ſaid eight Years, and then and there iſſue their Warrants to the ſeveral and reſpective Aſſeſſors aforeſaid, to take a true and exact Account of all the Eſtates real and perſonal, of all the Freeholders, Inhabitants and Reſidents, within the ſeveral Wards of the ſaid City and County, for which they at the Time of iſſuing ſuch Warrants, ſhall be Aſſeſſor or Aſſeſſors; and a true, equal and impartial Aſſeſſment to make, and the ſame at a Day in the ſaid Warrants to be prefixed by the Mayor, Recorder and Aldermen, or the major Part of them then met, to exhibit; and when the ſaid Aſſeſſments are by the ſaid Aſſeſſors compleated, and a full Account of the ſame truly caſt up, according to the Pound Value of the ſaid Eſtates, ſo that the Quota, with the Allowance for the City and County of *New-York*, be apparent and made known; then the ſaid Mayor, Recorder and Aldermen, or the major Part of them, ſhall iſſue their Warrants to the ſeveral and reſpective Collectors, within the ſaid City and County, to collect the Quota, with the Allowance by this Act directed; and that the ſame be paid unto the Treaſurer of this Colony, on or before the firſt Tueſday in *November*, yearly, and every Year, during the ſaid Term of eight Years.

Aſſeſſors to take an Oath.

IV. AND in order that the Aſſeſſments may be truly, equally and impartially made and done; **Be it Enacted** *by the Authority aforeſaid*, That every Aſſeſſor that ſhall be choſen and elected within the City and County of *New-York* during the Term aforeſaid, ſhall, before he enters upon the Performance of the Duty and Service required of him by this Act, take an Oath upon the Holy Evangeliſts of Almighty God, in the Words following, *to wit*.

I A. B. *do ſwear, That I will, well and truly, equally and impartially, and in due Proportion, according to the beſt of my Skill, Knowledge and Underſtanding aſſeſs and rate all the Freeholders, Inhabitants and Reſidents, of the Ward for which I am choſen Aſſeſſor.*

WHICH Oath, the ſaid Mayor, Recorder and Aldermen, or the major Part of them ſo met, are hereby impowered, required, and directed, to adminiſter

V. AN

V. AND for the effectual aſſeſſing, collecting and paying the reſpective Quotas for the City and County of *Albany*, and all the other Counties in this Colony, together with the before mentioned Allowance to the Collectors and County Treaſurers; **Be it Enacted** *by the Authority aforeſaid*, That the Supervizors of the ſaid City and County, and of all the other reſpective Counties in this Colony, or the major Part of them reſpectively, ſhall meet on the firſt Tueſday of *June* in every Year, during the ſaid Term; where the Majority of Supervizors reſpectively, then met, ſhall cauſe the reſpective Quotas and Allowances aforeſaid, of each County, to be raiſed, aſſeſſed, levied and collected, in the ſame Manner as the other neceſſary and contingent Charges thereof are; and the reſpective Collectors are hereby required and enjoined to pay the reſpective Quotas to be collected by them, unto the reſpective County-Treaſurers, on or before the firſt Day of *October*, yearly, and every Year, during the ſaid Term; and each of ſuch County Treaſurers are hereby enjoined and required to pay the reſpective Quotas of their Counties, to the Treaſurer of this Colony, on or before the firſt Tueſday in *November* then next following, during the ſaid Term.

Manner in which the other Counties are to make their Aſſeſſments and Collections.

VI. **And be it Enacted** *by the Authority aforeſaid*, That ſuch Mayor, Recorder, Aldermen, Supervizors, Aſſeſſors, Collectors or County Treaſurer, within this Colony, as ſhall deny, refuſe, neglect or delay, to do, perform and execute, all or any of the Powers, Duties and Authorities, by this Act required of him or them to be done, and ſhall be thereof lawfully convicted in any of his Majeſty's Courts of Record; he or they ſhall ſuffer ſuch Pains, by Fine and Impriſonment, as by the Diſcretion of ſuch Court or Courts ſhall be adjudged.

Penalty on any Officer refuſing or neglecting the Duty required by this Act.

VII. **And be it Enacted** *by the Authority aforeſaid*, That the Monies to be raiſed by this Act, ſhall, by the Treaſurer of this Colony, for the Time being, be paid and applied to the following Uſes and Purpoſes, and to no other Uſe or Purpoſe whatſoever, *That is to ſay*,

To what Purpoſes the Monies raiſed by this Act are to be applied.

[*Here follow ſeveral Payments, which being undoubtedly made, we thought them unneceſſary to be printed.*]

VIII. AND to the End, the aforeſaid *Cornelius Vanhorne* and *Paul Richard*, may be encouraged to do and perform the ſeveral and reſpective Services by this Act required to be done and performed by them reſpectively; **Be it Enacted** *by the Authority aforeſaid*, That the Treaſurer ſhall pay unto them, the Sum of *Two Pounds Ten Shillings*, on every *Hundred Pounds* they ſhall employ by Virtue of this Act, and in that Proportion for a greater or leſſer Sum, as a Reward for their Care and Trouble, in the ſeveral and reſpective Services hereby required to be done and performed by them.

Allowance of $2\frac{1}{2}$ per Cent. to Major *Vanhorne*, and Capt. *Richard*.

IX. **And be it Enacted** *by the Authority aforeſaid*, That they, the aforeſaid *Cornelius Vanhorne* and *Paul Richard*, before they receive any Part of the Monies hereby directed to be paid unto them, ſhall enter into the following Recognizances to our Sovereign Lord the King, his Heirs and Succeſſors; *that is to ſay*; each of them before one of the Judges of the Supreme Court of this Colony, in the Sum of *Three Thouſand Nine Hundred Pounds*, with two ſufficient Sureties, each in half that Sum; *Conditioned*, That they ſhall well and truly, each for his Part, employ and apply the Monies ſo to be received by them, as aforeſaid, to, and for the ſeveral and reſpective Uſes and Purpoſes directed by this Act; and well and duly to obſerve, do and perform, all the Directions hereby required to be obſerved, done and performed by them, according to the true Intent and Meaning thereof. Which ſeveral Recognizances are to be delivered into the Supreme Court, there to be filed and recorded, in order to be lodged in the Treaſury.

Major *Vanhorne* and Capt. *Richard* to enter into Recognizances for the due Application of the Monies to be received by them.

X. And

20th *GEORGE* II. A. D. 1746.

Which Recognizances are to be put in Suit on Failure.

X. **And be it Enacted** *by the Authority aforeſaid*, That if either of the before-named *Cornelius Vanhorne* or *Paul Richard*, ſhall fail in employing and applying the Money ſo to be received by them, in Manner, and for the reſpective Uſes directed by this Act, or omit to obſerve, do and perform, what is hereby required to be obſerved, done and performed by them; in ſuch Caſe or Caſes, the ſaid Recognizances ſhall be proceeded upon in due Form of Law, againſt ſuch Offender or Offenders, or his or their Sureties, in the Supreme Court of this Colony, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be allowed; and the Money to be recovered in Conſequence thereof, ſhall be paid into the Treaſury of the ſaid Colony, and be applied to, and for ſuch Uſes, as ſhall be hereafter directed, by Act or Acts to be paſſed for that Purpoſe.

Alſo to keep exact Books.

XI. **And be it Enacted** *by the Authority aforeſaid*, That of the due Diſpoſition and Application of the ſeveral Sums above-mentioned, the ſaid *Cornelius Vanhorne* and *Paul Richard*, ſhall keep exact Books, and render true and diſtinct Accounts thereof, upon Oath, to the Governor or Commander in Chief, for the Time being, to the Council, or to the General Aſſembly, when by them, or any of them, thereunto required.

If Major *Vanhorne* or Capt. *Richard*, die, or refuſe to act, another Perſon is to be appointed.

XII. **And be it Enacted** *by the Authority aforeſaid*, That if either the ſaid *Cornelius Vanhorne* or *Paul Richard*, ſhould happen to die, remove out of this Colony, or refuſe to act, according to the ſeveral and reſpective Powers and Authorities hereby directed and required; it ſhall and may be lawful, to and for the Governor, or Commander in Chief, for the Time being, by and with the Advice and Conſent of his Majeſty's Council, to nominate and appoint ſome other fit Perſon or Perſons, in the Place and Stead of him or them ſo dying, removing, or refuſing to act, as aforeſaid; any Thing herein contained to the contrary notwithſtanding. *Provided*, That the Perſon or Perſons, who may be ſo appointed, ſhall be obliged to enter into the like Recognizances, with the like Sureties, as is herein directed to be done by the ſaid *Cornelius Vanhorne* and *Paul Richard*, before he or they be intitled to receive any Part of the Money herein mentioned; and in all other Reſpects, be as ſubject to obſerve, do and perform, the ſeveral Directions of this Act, as if he or they had been named and appointed in it.

Commiſſioners appointed at *Albany*, to take Care of the Proviſions, *&c.*

XIII. **And be it further Enacted** *by the Authority aforeſaid*, That Mr. *Derick Ten Brook* and Mr. *John J. Cuyler*, are hereby appointed Commiſſioners at *Albany*, for the receiving and taking Care of the Proviſions and other Neceſſaries for the Forces raiſed in this Colony; and for the Delivery thereof to the ſeveral Captains of the Companies, for the Uſe of the Men reſpectively under their Command; and of the due Diſpoſition thereof, they ſhall keep and render true and diſtinct Accounts, upon Oath, to the Governor or Commander in Chief, for the Time being, the Council, or the General Aſſembly, when by them, or any of them, thereunto required; for which, and all other Services required of them, to be done and performed by this Act, they ſhall have a reaſonable Allowance.

If the Expedition ſhould not be proceeded on, the Proviſions remaining, to be ſold, *&c.*

XIV. **And be it further Enacted** *by the Authority aforeſaid*, That if by any Accident whatſoever, it ſhould happen, that the Forces levied in this Colony, ſhould not proceed upon the intended Expedition againſt *Canada*; then and in that Caſe, the ſaid *Cornelius Vanhorne* and *Paul Richard*, and in Caſe of the Death of both, or either of them, ſuch other Perſon or Perſons as ſhall be appointed in his or their Stead, ſhall be, and hereby are impowered, required and directed, to ſell, on Account, and for the Benefit of this Colony, a

all the Proviſions and Blankets which either they, or any others by their Direction, ſhall have purchaſed for the Uſe of the ſaid Forces, and a true and exact Account thereof, upon Oath, ſhall render unto the Governor, or Commander in Chief for the Time being, the Council, or the General Aſſembly, when by them, or any of them, thereunto required.

Farther Diſpoſition of the Money raiſed.

XV. **Be it Enacted** *by the Authority aforeſaid*, That the Treaſurer, out of the Monies to be levied by Virtue of this Act, ſhall pay unto his Excellency, the Sum of *One Hundred and fifty Pounds*, for the Expence of his Voyage to *Albany*, to meet the Six Nations of Indians there.

[*Here follow ſeveral other Payments, which were not thought neceſſary to be printed.*]

Treaſurer to pay the Bounty of 6*l.* a Man to the Captains.

XVI. **And be it further Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony, out of the Monies to be levied by this Act, ſhall pay unto each Captain, who ſhall be commiſſionated to command a Company, on the Expedition againſt *Canada*, for every able-bodied Man, who ſhall be inliſted and muſtered by him, according to the Direction of an Act, entitled, *An* Act *for the Encouraging of Voluntiers to inliſt into his Majeſty's Service upon the Expedition againſt* Canada, the Sum of *Six Pounds*, upon his producing a Certificate of ſuch Muſter, ſigned by the Magiſtrates before whom the ſame may be taken; and the Receipt of the ſaid Captain, for ſo much as ſhall be ſo paid to him, ſhall be to the ſaid Treaſurer, a good Voucher and Diſcharge for the ſame.

If any Money remain in the Treaſury, how the ſame ſhall be diſpoſed of.

XVII. **And be it further Enacted** *by the Authority aforeſaid*, That when the Treaſurer ſhall have paid all the ſeveral Sums, by this Act directed to be paid; all the Reſidue of the Money to be levied by this Act, ſhall remain in the Treaſury, to be diſpoſed of by Act or Acts hereafter to be paſſed for that Purpoſe, and not otherwiſe; always excepting the Monies which the Treaſurer is directed to advance, in Caſe the Managers of the publick Lottery ſhall not have ſufficient Caſh to make Payment for the Fortunate Tickets, and for the *Fifteen per Cent.* (Charges deducted) for fortifying the City of *New-York*, in the Manner provided in an Act, entitled, *An* Act *for fixing and determining the Drawing the publick Lottery of this Colony, on or before the firſt of* September *next.*

Bills of Credit to Anſwer the immediate Payment of the foregoing Sums to be printed, &c.

XVIII. AND as the Difficulties wherein the General Aſſembly find themſelves involved, in the Want of Ways and Means for a Supply to the intended Expedition, the Colony Funds anticipated and entirely exhauſted, and a heavy Load of Taxes for the Defence of its Frontiers yet unpaid, have conſtrained them, but with the greateſt Regret, to have Recourſe to a further Paper Emiſſion, for this moſt heavy and extraordinary Supply; they do therefore pray it may be Enacted; and, **Be it Enacted** *by the Authority aforeſaid*, That Bills of Credit to the Value of *Forty Thouſand Pounds*, be forthwith printed, made and iſſued, upon the Credit of the Money to be raiſed and levied by Virtue of this Act, *that is to ſay*; Eighteen Hundred and Sixty-one Bills, of the Value of *Ten Pounds* each; Eighteen Hundred and Sixty Bills, of the Value of *Five Pounds* each; Eighteen Hundred and Sixty Bills, of the Value of *Three Pounds* each; Eighteen Hundred and Sixty Bills, of the Value of *Two Pounds* each; Eighteen Hundred and Sixty Bills, of the Value of *One Pound* each; and, Eighteen Hundred and Sixty Bills, of the Value of *Ten Shillings* each: And upon each and every of which Bills, ſhall be impreſs'd, on the right Side thereof, the Arms of the City of *New-York*; and under the Arms, in different Characters, theſe Words, *Its Death to counterfeit this Bill*; which Bills ſhall be in the Form following, *That is to ſay*;

20th *GEORGE* II. A. D. 1746.

Form of the Bills.

BY a Law of the Colony of New-York, *this Bill ſhall paſs current for* New-York, *the Twenty-firſt of* July, 1746.

The Signers Names,

WHICH Bills ſhall be ſigned by Mr. *Cornelius Vanhorne*, Mr. *Paul Richard*, Mr. *Abraham Lynſen*, and Mr. *Iſaac De Peyſter*, or any three of them, and be numbred by one of them; and in Caſe of the Death of any of the ſaid Perſons, the ſaid Bills ſhall be ſigned by the Majority of the Survivors of them.

The Treaſurer to deliver the Stamps of the Bills to the Printer, &c.

XIX. **And be it Enacted** *by the Authority aforeſaid*, That *Abraham De Peyſter*, the preſent Treaſurer of this Colony, in whoſe Hands the Stamps of the Arms of the City of *New-York*, and the other Plates are depoſited, ſhall, in the Preſence of the Signers aforeſaid, or the major Part of them, deliver them unto *James Parker*, Printer; who is hereby appointed to print the ſaid Bills, and on them to impreſs the ſaid Arms and Plates; which, when done, the ſaid *James Parker*, ſhall re-deliver to the ſaid Treaſurer, the ſaid Stamps and Plates, in the Preſence of the Signers aforeſaid, or the major Part of them; and the Receipt of the ſaid Treaſurer, ſhall be to the ſaid Printer, a ſufficient Diſcharge for the ſame: And the ſaid Printer is hereby required and directed, to deliver to the Signers hereby appointed to ſign the ſaid Bills, every Bill of Credit by him printed; and ſhall, upon his Delivery of the ſaid Bills, take an Oath, *That the Bills of Credit by him then delivered, are all the Bills of Credit by him printed, by Virtue of this Act; and that neither he, the ſaid Printer, nor any other Perſon, by his Conſent, Privity, or Procurement, has directly or indirectly, printed any other or more of them, than are there by him delivered.* Which Oath all or any of the ſaid Signers, are hereby impowered, required, and directed, to adminiſter.

The Printer's Oath.

The Signers Oath.

XX. **And be it Enacted** *by the Authority aforeſaid*, That the Perſons herein appointed to ſign the ſaid Bills of Credit, ſhall take an Oath, before a Magiſtrate of the City of *New-York*, each of them, *Well and truly to perform what, by this Act, they are enjoined as their Duty; and will knowingly ſign no more Bills of Credit, than what, by this Act, is directed.* And if it ſhall happen, that any ſupernumerary Bills ſhall be left, after the ſaid Number ſhall be delivered to the Treaſurer, in Manner aforeſaid, all ſuch ſupernumerary Bills ſhall be burnt and deſtroyed by the ſaid Signers, in the Preſence of the Treaſurer of this Colony.

The Currency of theſe Bills.

XXI. **And be it Enacted** *by the Authority aforeſaid*, That the Bills of Credit enacted and appointed by this Act, to be current, ſhall be received by the Treaſurer of this Colony in all publick Payments, and for any Fund at any Time in the Treaſury, and by any Perſon within this Colony, in all Caſes whatſoever, during the Time they are enacted to continue; and be as effectually current as any other Bills of Credit made current in this Colony, by any Act of the Governor, Council, and General Aſſembly; and any Perſon or Perſons refuſing to take them in Payment (during the Time hereby appointed for the ſaid Bills to be current) for any Sum due, or hereafter to become due; or for any Contract already made, or hereafter to be made, for any Conſideration whatſoever; for any Effects or Services already delivered or performed, or hereafter to be delivered or performed; ſhall be liable, and is, and are made liable and ſubject to all the Penalties and Forfeitures, contained in any Act or Acts of the Governor, Council, and General Aſſembly of this Colony, at any Time enacting and enforcing the Currency of Bills of Credit, as fully, to all Intents, Conſtructions and Purpoſes whatſoever, as if the Words of all or any of the Acts aforeſaid, relating to the Bills of Credit, or enacting and enforcing the Currency of Bills of Credit in them mentioned, had been particularly expreſſed or tranſcribed, and herein and hereby enacted.

XXII. And

XXII. **And be it Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons whatſoever, ſhall preſume to counterfeit any of the Bills of Credit made current by this Act; or ſhall alter any of the ſaid Bills made current, as aforeſaid, ſo that they ſhall appear to be of greater Value, than by this Act the ſame Bill or Bills ſo altered, were enacted, ſigned, or numbered to paſs current for; or ſhall knowingly paſs, or give in Payment, any of the Bills aforeſaid, ſo counterfeited, or altered; every Perſon, guilty of counterfeiting or altering any of the ſaid Bills, as aforeſaid; or of knowingly paſſing, or giving in Payment, any ſuch counterfeit or altered Bills, ſhall be guilty of Felony; and being thereof convicted, ſhall ſuffer the Pains of Death, without the Benefit of Clergy: And though ſuch counterfeiting, altering, or knowingly paſſing counterfeit, or altered Bills, ſhall be done out of this Colony; yet any Grand-Jury within the City and County of *New-York*, is hereby impowered to preſent the ſame, and to ſet forth in the Indictment, the Place where, by their Evidence, it appeared that the Fact was committed; which Indictment is hereby declared good, notwithſtanding that the Place alledged be out of this Colony; and the Petty Juries on the Trials of all ſuch Iſſues, ſhall be returned from the Body of the City and County of *New-York*; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

Counterfeiting of the Bills, &c. is Death.

XXIII. **And be it further Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony, ſhall be, and hereby is required and directed, upon no Account whatſoever, to iſſue or give in Payment, any of the Bills of Credit made current by this Act, any otherwiſe, than as hereby directed, or as ſhall be directed by Act or Acts hereafter to be paſſed for that Purpoſe.

The Treaſurer not otherwiſe to pay away any of the Bills now ſtruck.

[*The Twenty-fourth Section, relating to the Cancelling the Bills, is* repealed, *and provided for, by Chap.* 861, § 1.]

XXV. AND whereas it may ſo happen, that ſome of the ſaid Bills may, after the ſaid firſt Tueſday of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-ſix, be and remain in the Hands of private Perſons, ſo that they cannot conveniently be brought to the Treaſurer of this Colony, in order to be deſtroyed on the ſaid firſt Tueſday of *January*, which will be in the Year of our Lord, One Thouſand Seven Hundred and Fifty-ſix; **Be it therefore Enacted** *by the Authority aforeſaid*, That any Perſon or Perſons who ſhall, on the ſaid firſt Tueſday of *January*, or on or before the firſt Tueſday of *July*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-ſeven, bring and deliver to the Treaſurer of this Colony for the Time being, any Bill or Bills made current by this Act; every Perſon ſo bringing and delivering any ſuch Bill or Bills, ſhall, by the ſaid Treaſurer, be paid the full Value of them, out of the Funds or publick Money in his Hands, at the Time of bringing and delivering ſuch Bill or Bills; which ſaid Bill or Bills, ſo brought in and delivered to the Treaſurer, ſhall be by him, in the Preſence of the Signers aforeſaid, ſunk, cancelled and deſtroyed, on or before the ſecond Tueſday of *July*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-ſeven; after which Day the ſaid Treaſurer is not to exchange any of the Bills made current by this Act; nor take them in Payment longer than till the firſt Tueſday of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-ſix.

The Time limited for the ſaid Bills to be current.

XXVI. AND that it may be truly known, what Number and Value of Bills are ſunk, cancelled and deſtroyed, at any Time or Times mentioned in this Act, for ſinking, cancelling and deſtroying the ſaid Bills; **Be it Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony, at every of the reſpective Times herein mentioned, ſhall keep a true and perfect Account of all ſuch Bills

Treaſurer to keep Account of all Bills ſunk.

20th *GEORGE* II. A. D. 1746.

Bills by him received and deſtroyed; which Account he ſhall render upon Oath, unto the Governor, or Commander in Chief for the Time being, the Council, or General Aſſembly, when by them, or any of them, thereunto required.

XXVII. AND WHEREAS by one Act, entitled, *An* Act *for raiſing a Supply of* Thirteen Thouſand Pounds, *by a Tax on Eſtates real and perſonal, for the more effectual Fortifying this Colony; for the emitting Bills of Credit for the like Sum, for the immediate anſwering the neceſſary Services; and for the ſinking and cancelling the ſaid Bills, at the ſeveral ſhort Periods therein mentioned*; the Sum of *Four Hundred Pounds* was granted, and directed to be applied for the Erecting ſix good Block-Houſes upon the Northern Frontiers of this Colony; the Sum of *Three Thouſand Four Hundred and Forty-nine Pounds, five Shillings*, for the Pay of One Hundred and Twenty Men, Officers included, to garriſon the ſaid ſix Block-Houſes; and the Sum of *Seven Hundred and Forty-ſix Pounds thirteen Shillings*, for ſupplying the ſaid Garriſon with Proviſions: And whereas it has been found impracticable to build the ſaid ſix Block-Houſes, according to the Directions of the ſaid Act; **Be it further Enacted** *by the Authority aforeſaid*, That the Treaſurer, out of the aforeſaid Sums of Money, ſhall pay unto Col. *Philip Schuyler*, and Major *Edward Collins*, the Sum of *Three Thouſand Three Hundred and Sixty-two Pounds, nine Shillings*, to be by them applied for the Pay of Four Hundred and Sixty-nine effective Men, Officers included, now poſted, or ordered to be poſted on the Frontiers, for the Defence thereof, for a Term not exceeding three Months, to commence from the Day of their entering upon that Service, at the following Rates, *viz.* For four Captains, *Six Shillings per Diem*, each; for ſeven Lieutenants, *Four Shillings per Diem*, each; and for Four Hundred and Fifty-eight private Men, *One Shilling and ſix Pence per Diem*, each; Deduction being to be made for any Deficiency in that Number, by Death or otherwiſe.

The Money allowed for Block-Houſes, diſpoſed another Way.

To the ſaid *Philip Schuyler* and *Edward Collins*, for ſupplying the aforeſaid Forces with Proviſions, during the ſaid Term, the Sum of *Seven Hundred and ſixteen Pounds, fourteen Shillings*; and the Receipt of the ſaid *Philip Schuyler* and *Edward Collins*, for the ſaid Sums, ſhall be to the Treaſurer, a good Voucher and Diſcharge for the ſame: And of the due Diſpoſition and Application of the ſaid Sums, they ſhall keep and render true and exact Accounts, upon Oath, unto the Governor, or Commander in Chief for the Time being, the Council, or the General Aſſembly, when by them, or any of them, thereunto required.

Treaſurer to keep exact Books.

XXVIII. **And be it Enacted** *by the Authority aforeſaid*, That the ſaid Treaſurer ſhall keep exact and true Books and Accounts, of all the Receipts and Payments to be made by him, by Virtue of this Act, diſtinguiſhing therein, the ſeveral and reſpective Uſes and Services, according to the true Intent and Meaning of this Act; and that he ſhall render Accounts thereof, upon Oath, to the Governor, or Commander in Chief for the Time being, the Council, and General Aſſembly, when by them, or any of them, thereunto required.

No Reward to be allowed for Scalps during the Expedition.

XXIX. **And be it further Enacted** *by the Authority aforeſaid*, That for whatſoever Priſoners or Scalps of the Enemy, which may be taken by the Inhabitants of (or Indians in Alliance with) this Colony, during the Continuance of the Expedition againſt *Canada*, the Captors thereof, ſhall not be intitled to the Reward given in and by one Act, entitled, *An* Act *for giving a Reward for ſuch Scalps and Priſoners of the Enemy, as ſhall be taken by the Inhabitants of (or Indians in Alliance with) this Colony; and to prevent the Inhabitants of the City and County of* Albany, *from ſelling Rum to the Indians*; paſſed in the nineteenth Year of his Majeſty's Reign; any Thing in the ſaid Act to the contrary notwithſtanding.

CHAP.

20th *GEORGE* II. A. D. 1746.

CHAP. DCCCXXXIII.

An ACT *for impreſſing Ship-Carpenters, Houſe-Carpenters, Joiners, Sawyers, and their Servants, and all other Artificers and Labourers, for the Building of Battoes; and alſo for impreſſing Horſes, Waggons, and all other Things neceſſary for the carrying on the Expedition againſt* Canada, *with the utmoſt Diſpatch.*

Paſs'd the 15th of July, 1746.

Obſolete.

CHAP. DCCCXXXIV.

An ACT *to detatch Three Hundred Men from the City and County of* Albany, *to ſerve on the intended Expedition againſt* Canada.

Paſs'd the 15th of July, 1746.

Obſolete.

CHAP. DCCCXXXV.

An ACT *to continue an Act, entitled,* An *Act* for the Eſtabliſhing a Military Watch for the City and County of *Albany*; *with Additions thereto.*

Paſs'd the 6th of December, 1746.

See Chap. 836. Reviv'd Ch. 857.

CHAP. DCCCXXXVI.

An ACT *to continue an Act, entitled,* An *Act* for the Returning of able and ſufficient Jurors, and for the better Regulation of Juries.

Paſs'd the 6th of December, 1746.

Preamble.

WHEREAS an Act, entitled, *An* ‡ Act *for the Returning of able and ſufficient Jurors, and for the better Regulation of Juries,* paſſed in the Fifteenth Year of his Majeſty's Reign, will expire on the Twenty-fifth of *March* next; and the ſame having been found greatly advantageous to the Inhabitants of this Colony;

‡ See Chap. 720.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the above mentioned Act, entitled, *An* Act *for the Returning of able and ſufficient Jurors, and for the better Regulation of Juries,* ſhall be, and hereby is continued; and every Clauſe, Article, Matter and Thing therein contained, enacted to be and remain of full Force and Virtue, to all Intents, Conſtructions and Purpoſes whatſoever, and is hereby made perpetual.

The Jury Act made perpetual.

II. **Always Provided, and be it Enacted** *by the Authority aforeſaid,* That the Inhabitants of the City of *Albany,* having perſonal Eſtates to the Value of *Sixty Pounds,* free from all Incumbrances, ſhall be, and hereby are made liable to ſerve on all Juries which ſhall hereafter be ſummoned to ſerve in the Mayor's Court of the ſaid City; any Thing in the aforeſaid Act to the contrary notwithſtanding.

Inhabitants of *Albany*, of £. 60 perſonal Eſtate, qualified for Jurors in the Mayor's Court.

CHAP. DCCCXXXVII.

An ACT *to let to Farm the Exciſe on Strong Liquors retailed in this Colony, from the firſt of* November, *One Thouſand Seven Hundred and Forty-ſix, to the firſt of* November, *One Thouſand Seven Hundred and Forty-ſeven,*

Paſs'd the 6th of December, 1746.

Expired 1ſt of *November*, 1747.

CHAP.

20th *GEORGE* II. A. D. 1746.

CHAP. DCCCXXXVIII.

See Chap. 764. Continued by Chap. 873.

An ACT *to continue an Act, entitled,* An *Act* to ſupport the Garriſon and Trading-Houſe at *Oſwego*; *with ſome Additions thereto.*

Paſs'd the 6th of December, 1746.

Preamble.

WHEREAS an Act, entitled, *An* Act *to ſupport the Garriſon and Trading Houſe at* Oſwego, will expire by its own Limitation, the firſt Day of *November*, in this preſent Year of our Lord, One Thouſand Seven Hundred and Forty-ſix; and foraſmuch as it is neceſſary to have the Trade at *Oſwego*, under proper Regulations;

The *Oſwego* Act continued to 1748.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the above mentioned Act ſhall be continued, from and after the firſt Day of *November*, in this preſent Year, until the firſt Day of *November*, which will be in the Year One Thouſand Seven Hundred and Forty-eight.

The Vacancy of *Philip Livingſton* ſupplied.

II. **Always Provided, and be it Enacted** *by the Authority aforeſaid,* That whereas *Philip Livingſton*, jun. one of the Commiſſioners for collecting the Duties laid by the aforeſaid Act, is removed from *Albany* to the City of *New-York*; *Gerrit Cornelius Van Denberg*, ſhall be, and hereby is appointed a Commiſſioner, to collect the ſaid Duties, in the Room and Stead of the aforeſaid *Philip Livingſton*; and the ſaid *Gerrit Cornelius Van Denberg*, ſhall be, and hereby is veſted with as full Power and Authority, to exerciſe the Office of a Commiſſioner of the ſaid Duties, and ſhall be ſubject to the like Rules and Directions, take the like Oaths, enter into the like Recognizance, and be intitled to the like Reward, as if he had been actually named and appointed in the aforeſaid Act.

William Johnſton ſubſtituted in the Room of the Contractors in the *Oſwego* Act.

III. AND whereas ‖ *William Johnſton*, has undertaken to furniſh the Garriſon poſted at *Oſwego*, with Proviſions, in the Room and Stead of the Contractors mentioned in the aforeſaid Act; **Be it Enacted** *by the Authority aforeſaid*, That the ſaid *William Johnſton* ſhall be, and hereby is obliged, to furniſh the ſaid Garriſon with Proviſions, in the Manner directed in the aforeſaid Act, for the Contractors therein named to perform, and ſhall enter into the like Recognizance, and ſhall be intitled to the like Allowance for the ſame, as if he had been actually named and appointed in the ſaid Act; any Thing in the aforeſaid Act, to the contrary notwithſtanding.

CHAP. DCCCXXXIX.

See Chap. 818. Continued Chap. 850.

An ACT *to continue an Act, entitled,* An *Act* to prevent Deſertion of his Majeſty's Forces in this Colony.

Paſs'd the 6th of December, 1746.

CHAP. DCCCXL.

Obſolete.

An ACT *for raiſing the Sum of* Two Thouſand two Hundred and fifty Pounds, *by a publick Lottery for this Colony, for the Advancement of Learning; and towards the Founding a College within the ſame.*

Paſs'd the 6th of December, 1746.

CHAP.

‖ *Another Perſon appointed in the Stead of* William Johnſton, *by Chap.* 895, § 6.

20th *GEORGE* II. A. D. 1746.

CHAP. DCCCXLI.

An ACT *further to continue an Act, entitled,* An *Act* for and towards Supporting the Government of this Colony, by granting to his Majeſty the Duties therein mentioned, from the firſt Day of *December*, One Thouſand ſeven Hundred and Forty, to the firſt Day of *December*, One Thouſand ſeven Hundred and Forty-one; *with an Addition thereto.*

See Chap. 803. Continued by Chap. 852.

Paſs'd the 6th of December, 1746.

Preamble.

WHEREAS the Duties and Impoſitions granted for the Support of his Majeſty's Government in this Colony, by the above mentioned Act, have by ſeveral ſubſequent Acts, been continued to the firſt Day of *December* next; and the General Aſſembly being willing to make Proviſion for the further Support thereof;

Continuance of the Act for Support of Government.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the above mentioned Act, entitled, *An* Act *for and towards ſupporting the Government of this Colony, by granting to his Majeſty the Duties therein mentioned, from the firſt Day of* December, *One Thouſand Seven Hundred and Forty, to the firſt Day of* December, *One Thouſand Seven Hundred and Forty-one*; ſhall be, and hereby is enacted, to be further continued, and every Clauſe, Matter, Article and Thing therein contained, to remain and be of full Force and Virtue, to all Intents, Conſtructions and Purpoſes whatſoever, from the ſaid firſt Day of *December* next, until the firſt Day of *December*, which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-ſeven.

Penalty on Perſons aiding and aſſiſting the Running of Goods.

II. AND for the more effectual Prevention of the clandeſtine Running of any of the Goods or Merchandize in the aforeſaid Act enumerated, and thereby defrauding his Majeſty of the Duties therein granted, for the Support of this Government, to the Diminution of the Revenue, and the great Damage of the fair and honeſt Trader; **Be it Enacted** *by the Authority aforeſaid,* That if any Water-man, Boat-man, Car-man, Porter, or any other Perſon or Perſons whatſoever, ſhall, after the Publication of this Act, be aiding and aſſiſting, in the taking-up, landing, carting or carrying any of the Goods or Merchandize in the aforeſaid Act ſpecified, for which the Duties thereby impoſed, have been neither paid, nor ſecured to be paid, in the Manner directed by the ſaid Act; every ſuch Perſon or Perſons, ſo knowingly offending in the Premiſſes, and being thereof convicted, before any one or more of his Majeſty's Juſtices of the Peace for the City, Borough, Town, or County where the Offence is committed, upon the Oath of one or more credible Witneſſes, ſhall forfeit and pay the Sum of *Twenty Pounds*, for the firſt Offence; to be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, in like Manner as in other Caſes of Diſtreſs, together with the Coſts of ſuch Proſecution; the one Half thereof, to be paid to the Treaſurer of this Colony, and applied for the Support of the Government; the other Half to the Perſon or Perſons, who ſhall proſecute and ſue for the ſame: And for Want of ſuch Goods and Chattels, ſuch Offender or Offenders ſhall be committed to the County-Goal, where ſuch Offence ſhall be committed, there to remain for the Space of three Months, without Bail or Mainprize; or until ſuch Forfeiture, together with the Coſts of ſuch Proſecution, ſhall be paid: And for the ſecond, and every other Offence, being thereof convicted, as aforeſaid, ſuch Offender and Offenders ſhall be committed to Goal, as aforeſaid, for the Space of ſix Months, there to remain without Bail or Mainprize.

III. And

20th *GEORGE* II. A. D. 1746.

Land and Tide-Waiter to take an Oath for the Performance of his Duty.

III. **And be it Enacted** *by the Authority aforeſaid*, That the Land and Tide-Waiter of the Colony Duties, ſhall, within ſix Days after the Publication of this Act, take his corporal Oath, before one of the Juſtices of the Supreme Court, for the due and faithful Execution of his Office and Truſt, according to the beſt of his Skill and Power; and that he will not demand or receive any Fee or Gratuity, directly or indirectly, other than his Salary, and the regular Fees of his ſaid Office, eſtabliſhed by Law: Which Oath ſhall be certified under the Hand of ſuch Juſtice, and delivered to the ſaid Officer, to be by him lodged and filed with the Treaſurer of this Colony: And in Caſe the ſaid Land and Tide-Waiter, ſhall neglect or refuſe to take ſuch Oath, within the Time limited, as aforeſaid, he ſhall, by ſuch Default, be rendered incapable of holding and enjoying the ſaid Office; and thereupon, it ſhall and may be lawful, for the Governor, or Commander in Chief, for the Time being, by and with the Advice and Conſent of his Majeſty's Council, to nominate and appoint ſome other fit and proper Perſon to the ſaid Office, in his Place and Stead; which Perſon, ſo appointed, ſhall be intitled to have and receive the like Salary, Fees and Perquiſites, as the Perſon ſo diſabled, was intitled to have and receive, before ſuch Default made, as aforeſaid; and ſhall, upon his Appointment, take the ſaid Oath hereby directed, or be diſabled in like Manner as aforeſaid.

Perſons importing ſtrong Liquors into *Suffolk* Diſtrict, muſt enter the ſame there.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That all Perſons importing (during the Continuance of the Act aforeſaid) any Rum, Brandy, or other diſtilled Liquors; as likewiſe Shrub, or other mixed Liquors, whereof the greater Part is diſtilled Spirits, in the Diſtrict or County of *Suffolk*, ſhall enter the ſame with the Officer of the Diſtrict and County aforeſaid, before its being landed; and at the ſame Time, produce to him the original Invoice or Invoices thereof, and make Oath before him, that ſuch Invoice is real and true, according to the beſt of his or her Knowledge: And in this Caſe the Quantity of Gallons is to be aſcertained accordingly; and if the Caſks are not filled up on board of the Veſſel importing the ſame, or on Shore, the following Deduction is to be allowed out of the ſaid Invoices; *That is to ſay*; On ſuch Liquors from the *Weſt-Indies*, *Five per Cent.* and from the neighbouring Colonies, *Three per Cent.* and the net Quantity of Gallons is to be aſcertained accordingly: But if the Caſks are filled in Manner aforeſaid, then the full Quantity is to pay the Duty in the Act aforeſaid mentioned: And if no ſuch Invoice is produced, and ſworn to, as aforeſaid, the Caſks are to be gauged at the Charge of the Importer, by a fit Perſon to be appointed, named by the ſaid Officer of the Diſtrict aforeſaid; and the net Quantity of Gallons, is, in this Caſe, to be aſcertained accordingly; any Thing in the aforeſaid Act to the contrary notwithſtanding.

CHAP. DCCCXLII.

Private. *An* ACT *to raiſe, levy and collect, the Sum of* Eighty Pounds, *in the City and County of* New-York, *for the Services therein mentioned.*

Paſs'd the 6th of December, 1746.

CHAP. DCCCXLIII.

See Chap. 814. Continued by Chap. 849. *An* ACT *to continue an Act, entitled,* An *Act* for regulating the Militia of this Colony; *with an Addition thereto.*

Paſs'd the 6th of December, 1746.

CHAP.

20th *GEORGE* II. A. D. 1746.

CHAP. DCCCXLIV.

Private.

An ACT *for naturalizing* Matthieu Thomas, Nicolas Teſſon, Marie Teſſon, Jean Piere Lebrieur, Charle Julian, Francois Blanchard, Moiſe Audier, Philip Grim, Jacob Chriſtopher Forſter, Peter Grim, Leonorat Riegeler, Johannes Van Dyck, Adam Elbert, Johannes Jurianſe, William Braambos, Willemina Braambos, William Braambos, *jun.* John Garde, *and* John George Kook.

Paſs'd the 6th of December, 1746.

CHAP. DCCCXLV.

An ACT *for the more effectual Collecting the Taxes laid by the Acts therein mentioned.*

Paſs'd the 6th of December, 1746.

Premable.

WHEREAS there are ſeveral Sums of Money in Arrear, and unpaid, of the *Thirteen Thouſand Pound* Tax, which were to be raiſed and collected in and by the Act, entitled, *An* ‡ Act *for raiſing a Supply of the Sum of* Thirteen Thouſand Pounds, *by a Tax on Eſtates real and perſonal, for the more effectual fortifying this Colony; for the emitting Bills of Credit for the like Sum, for the immediate anſwering the neceſſary Services; and for ſinking and cancelling the ſaid Bills, at the ſeveral ſhort Periods therein mentioned*; paſſed in the nineteenth Year of his preſent Majeſty's Reign.

‡ Chap. 825.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the Mayor, Recorder and Aldermen; and the Aſſeſſors and Collectors of the City and County of *New-York*; and the Superviſors, Aſſeſſors, and Collectors of all the other ſeveral Counties, Cities, Towns, Manors, Liberties and Juriſdictions in this Colony reſpectively, for the Time being; ſhall, and are hereby directed, required, and impowered, to aſſeſs, raiſe, levy and collect, the Arrears of all or any of the ſaid Tax, of and from the ſeveral and reſpective Perſons, in the ſeveral and reſpective Counties, Cities, Towns, Manors, Liberties and Juriſdictions in this Colony, chargeable therewith, who have not paid all, or are ſtill in Arrear for the ſaid Tax, or any Part thereof, according to the Tenor and Direction of this and the aforeſaid Act; and the ſaid Arrears ſo to be aſſeſſed, raiſed, levied and collected, ſhall be paid unto the Treaſurer of this Colony, within one Month after ſuch Arrears ſhall be collected; to be by him applied, as the Monies in the Act aforeſaid, are ordered and directed.

Arrears of Taxes laid by Chap. 825, to be collected.

II. **And be it Enacted** *by the Authority aforeſaid,* That the ſaid Mayor, Recorder, and Aldermen, Superviſors, Aſſeſſors, and Collectors reſpectively, ſhall have the ſame Powers and Authorities, Privileges and Advantages, for the putting this Act in Execution; and be liable to, and undergo the ſame Pains and Penalties, in Caſe of any Omiſſion, Neglect, or Refuſal, as the Mayor, Recorder and Aldermen, Superviſors, Aſſeſſors, and Collectors, in the ſaid Act, are inveſted with and liable to, as if the ſame were particularly mentioned and expreſſed in this Act.

Penalty for Neglect.

III. AND foraſmuch as in the Act aforeſaid, and alſo in the Act, entitled, *An* ‖ Act *for raiſing a Supply of* Forty Thouſand Pounds, *by a Tax on Eſtates real and perſonal, for carrying on an Expedition againſt the* French *in* Canada; *for emitting Bills of Credit for the like Sum; and for ſinking and cancelling the ſaid Bills in ſhort Periods; and for other Purpoſes therein mentioned*; paſſed in the

‖ Chap. 832.

20th *GEORGE* II. A. D. 1746.

twentieth Year of his Majeſty's Reign; there are no ſpecial Clauſes of Diſtreſs; from whence have ariſen Diſputes: For Prevention of which for the Future, **Be it Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons within this Colony, ſhall refuſe, neglect, or delay, to pay his, her, or their Aſſeſſment, Rate or Proportion, of the Tax aforeſaid, or Arrears thereof, purſuant to the Warrants and Aſſeſſments delivered to the reſpective Collectors for that Purpoſe, for the Space of ſix Days after Demand, made by the ſaid Collectors, for the ſame; it ſhall and may be lawful, to and for the ſaid Collectors, and they are hereby enjoined and required, to diſtrain the Goods and Chattels of ſuch Perſon or Perſons, ſo refuſing, neglecting, or delaying, to pay his, her, or their Proportion of the Tax aforeſaid; and the Diſtreſs ſo taken, to keep for the Space of three Days, at the Coſts and Charges of the Owner thereof; and if the ſaid Owner do not pay the Sum or Sums of Money, ſo diſtrained for, together with the Coſts and Charges aforeſaid, within the Space of the ſaid three Days; then the ſaid Diſtreſs to be ſold by the ſaid Collectors, at publick Outcry or Vendue (giving publick Notice thereof, by Advertiſement, at leaſt two Days before ſuch Sale) for the Payment of the ſaid Money, together with the Coſts and Charges aforeſaid; and the Overplus (if any be) over and above the Sum ſo aſſeſſed, and Coſts and Charges of taking, keeping, and ſelling the ſaid Diſtreſs, to be immediately returned to the Owner thereof.

Perſons delaying to pay their Taxes by Chap. 832. liable to have Diſtreſs made on their Goods.

C H A P. DCCCXLVI.

Expired 1ſt of *December*, 1747.

An ACT *for the Payment of the Salaries, Services and Contingencies therein mentioned, until the firſt Day of* September, *One Thouſand Seven Hundred and Forty-ſeven.*

Paſs'd the 6th of December, 1746.

C H A P. DCCCXLVII.

Obſolete.

An ACT *for making further Proviſion for the Victualling of his Majeſty's Troops raiſed within this Colony, for the Expedition againſt* Canada, *and for other the publick Services therein mentioned.*

Paſs'd the 6th of December, 1746.

The Eighteenth ASSEMBLY.

THIRD SESSION.

20th *GEORGE* II. A. D. 1747.

C H A P. DCCCXLVIII.

Obſolete.

An ACT *for purchaſing a further Supply of Proviſions, for victualling the Forces raiſed in this Colony, on the Expedition againſt* Canada; *for providing for the Payment of One Hundred Rangers, and other Purpoſes therein mentioned.*

Paſs'd the 29th of April, 1747.

21ſt *GEORGE* II. A. D. 1747.

C H A P. DCCCXLIX.

See Chap. 843. Expired 1ſt of *December*, 1748.

An ACT *further to continue an Act, for regulating the Militia of this Colony.*

Paſs'd the 22d of September, 1747.

C H A P.

CHAP. DCCCL.

21st GEORGE II. A. D. 1747.

An ACT *further to continue an Act, entitled,* An *Act* to prevent Deſertion of his Majeſty's Forces in this Colony.

See Cap. 839. Expired 1ſt of *December*, 1748.

Paſs'd the 22d of September, 1747.

The Eighteenth ASSEMBLY.

FOURTH SESSION.

CHAP. DCCCLI.

An ACT *to let to Farm the Exciſe on Strong Liquors retailed in this Colony, from the firſt Day of* November, *One Thouſand Seven Hundred and Forty-ſeven, to the firſt Day of* November, *One Thouſand Seven Hundred and Forty-eight.*

Expired 1ſt of *November*, 1748.

Paſs'd the 31ſt of October, 1747.

CHAP. DCCCLII.

An ACT *further to continue an Act, entitled,* An *Act* for and towards ſupporting the Government of this Colony, by granting to his Majeſty the Duties therein mentioned, from the firſt Day of *December*, One Thouſand Seven Hundred and Forty, to the firſt Day of *December*, One Thouſand Seven Hundred and Forty-one.

See Chap. 841. Continued by Chap. 871.

Paſs'd the 31ſt of October, 1747.

CHAP. DCCCLIII.

An ACT *for purchaſing a Supply of Proviſions, for victualling eight compleat Companies of the Forces, raiſed on the Expedition intended againſt* Canada, *or eight compleat Companies of Volunteers, to conſiſt of One Hundred Men each, to be employed on the Northern Frontiers of this Colony.*

Obſolete.

Paſs'd the 25th of November, 1747.

CHAP. DCCCLIV.

An ACT *for raiſing a Supply of* Twenty-eight Thouſand Pounds, *by a Tax on Eſtates real and perſonal, for defraying the Expence of ſeveral Services neceſſary for the Defence of the Frontiers, and Annoyance of the Enemy; for emitting Bills of Credit for the like Sum, and for ſinking and cancelling the ſaid Bills in ſhort Periods.*

Paſs'd the 25th of November, 1747.

I. BE it Enacted *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That there ſhall be given and granted unto his Majeſty, his Heirs and Succeſſors, to and for the Uſes and Purpoſes herein mentioned, and to no other Uſe or Purpoſe whatſoever, the Sum of *Twenty-eight Thouſand Pounds*; which ſhall be aſſeſſed, raiſed and levied, upon the Eſtates real and perſonal, of all and every the Freeholders, Inhabitants and Reſidents, within this Colony, and ſhall be collected and paid in Manner following; *that is to ſay*; The Sum of *Three*

28,000 *l.* to be raiſed by a Tax on all Eſtates real and perſonal, in the following Manner.

21ſt *GEORGE* II. A. D. 1747.

Thouſand Five Hundred Pounds, on or before the firſt Tueſday in *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-eight; the like Sum of *Three Thouſand Five Hundred Pounds*, on or before the firſt Tueſday in *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Forty-nine; the like Sum of *Three Thouſand Five Hundred Pounds*, on or before the firſt Tueſday in *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty; the like Sum of *Three Thouſand Five Hundred Pounds*, on or before the firſt Tueſday in *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-one; the like Sum of *Three Thouſand Five Hundred Pounds*, on or before the firſt Tueſday in *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-two; the like Sum of *Three Thouſand Five Hundred Pounds*, on or before the firſt Tueſday in *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-three; the like Sum of *Three Thouſand Five Hundred Pounds*, on or before the firſt Tueſday in *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-four; the like Sum of *Three Thouſand Five Hundred Pounds*, on or before the firſt Tueſday in *November*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-five: Which ſaid Sum of *Three Thouſand Five Hundred Pounds*, hereby appointed to be annually paid on the Days and Times before mentioned, ſhall be yearly raiſed, levied and paid, by the Freeholders, Inhabitants and Reſidents, in the ſeveral and reſpective Cities and Counties within this Colony, during the eight Years above mentioned, according to the Quotas and Proportions following; *that is to ſay*;

Yearly Proportion of each County in ſaid Tax.

In the City and County of *New-York*, the Sum of *One Thouſand two Hundred and Twenty-two Pounds, four Shillings and five Pence Half-penny*, yearly, and every Year, during the ſaid eight Years.

And in Conſideration of the preſent diſtreſſed Circumſtances of the Inhabitants of *Albany*, by the Ravages of the Enemy, it being one Third leſs in Proportion to the laſt Tax of that County; the ſaid Deduction being now laid on the other Counties in Proportion; Therefore, there is to be paid in the City and County of *Albany*, the Sum of *Three Hundred and Fifty-ſeven Pounds, two Shillings and ten Pence Farthing*, yearly, and every Year, during the ſaid Term.

In *Kings* County, the Sum of *Two Hundred and Fifteen Pounds, thirteen Shillings and eight Pence Half-penny*, yearly, and every Year, during the ſaid Term.

In *Queens* County, the Sum of *Four Hundred and eleven Pounds, thirteen Shillings and two Pence*, yearly, and every Year, during the ſaid Term.

In *Suffolk* County, the Sum of *Three Hundred and Sixty-ſix Pounds, thirteen Shillings and two Pence Half-penny*, yearly, and every Year, during the ſaid Term.

In *Richmond* County, the Sum of *One Hundred and Fourteen Pounds, eleven Shillings and nine Pence*, yearly, and every Year, during the ſaid Term.

In *Weſtcheſter* County, the Sum of *Two Hundred and three Pounds, Fourteen Shillings*, yearly, and every Year, during the ſaid Term.

In *Ulſter* County, the Sum of *Three Hundred and Thirty-three Pounds, ſix Shillings and ten Pence Half-penny*, yearly, and every Year, during the ſaid Term.

In *Dutcheſs* County, the Sum of *One Hundred and Fifty-two Pounds, fifteen Shillings and ſix Pence three Farthings*, yearly, and every Year, during the ſaid Term.

And, In *Orange* County, the Sum of *One Hundred and Twenty-two Pounds, four Shillings and five Pence Farthing*, yearly, and every Year, during the ſaid Term.

II. And

II. AND to the End the full Sum intended to be raiſed by this Act, may be effective and compleat; **Be it Enacted** *by the Authority aforeſaid*, That over and above the ſeveral Quotas above-mentioned, there ſhall be raiſed, aſſeſſed, levied and collected, the reſpective Sums following; *that is to ſay*; On the Quota for the City and County of *New-York*, the Sum of *Nine-pence*, over and above every Pound; to be retained in the Hands of the ſeveral Collectors, as a Reward for their Trouble in collecting and paying the ſame to the Treaſurer of this Colony; and on the Quotas for the City and County of *Albany*, and all the other Counties in this Colony, the Sum of *One Shilling*, over and above every Pound; out of which, the ſeveral Collectors may retain in their Hands, the Sum of *Nine-pence* on each Pound, for collecting and paying the ſame to the ſeveral County-Treaſurers; and the remaining *Three-pence*, the County-Treaſurers, reſpectively, may retain in their Hands, as a Reward for their Trouble and Service in receiving and paying, the Monies ariſing by this Act, to the Treaſurer of this Colony.

Allowance to the Collectors of ſaid Tax.

And County Treaſurer.

III. AND to the End Aſſeſſments may be made in ſuch convenient Time, by the Aſſeſſors, that the Sums intended to be raiſed by this Act, may be collected and paid at the Times herein after mentioned and appointed; and that the Aſſeſſments may be truly, equally, and impartially made, as of Right they ought to be; **Be it Enacted** *by the Authority aforeſaid*, That the Mayor, Recorder and Aldermen, of the City and County of *New-York*, or the greater Part of them, for the Time being, ſhall meet and aſſemble at the City-Hall of the ſaid City, on the firſt Tueſday in *June*, in every Year, during the ſaid eight Years; and then and there iſſue their Warrants to the ſeveral and reſpective Aſſeſſors aforeſaid, to take a true and exact Account of all the Eſtates, real and perſonal, of all the Freeholders, Inhabitants, and Reſidents, within the ſeveral Wards of the ſaid City and County, for which they, at the Time of iſſuing ſuch Warrants, ſhall be Aſſeſſor or Aſſeſſors; and a true, equal, and impartial Aſſeſſment to make; and the ſame, at a Day in the ſaid Warrants to be prefixed by the Mayor, Recorder, and Aldermen, or the major Part of them then met, to exhibit: And when the ſaid Aſſeſſments are, by the ſaid Aſſeſſors compleated, and a full Account of the ſame truly caſt up, according to the Pound Value of the ſaid Eſtates, ſo that the Quota, with the Allowance for the City and County of *New-York*, be apparent and made known; then the ſaid Mayor, Recorder, and Aldermen, or the major Part of them, ſhall iſſue their Warrants to the ſeveral and reſpective Collectors within the ſaid City and County, to collect the Quota, with the Allowance by this Act directed; and that the ſame be paid unto the Treaſurer of this Colony, on or before the firſt Tueſday of *November*, yearly, and every Year, during the ſaid Term of eight Years.

In what Manner the Aſſeſſors of the City of *New-York* are to proceed in laying ſaid Tax.

IV. AND in order that the Aſſeſſments may be truly, equally, and impartially made and done; **Be it Enacted** *by the Authority aforeſaid*, That every Aſſeſſor that ſhall be choſen and elected, within the City and County of *New-York*, during the Term aforeſaid, ſhall, before he enters upon the Performance of the Duty and Service required of him by this Act, take an Oath upon the Holy Evangeliſts of Almighty God, in the Words following, *to wit*.

I A. B. *do ſwear, that I will, well and truly, equally and impartially, and in due Proportion, according to the beſt of my Skill, Knowledge, and Underſtanding, aſſeſs and rate all the Freeholders, Inhabitants and Reſidents of the Ward for which I am choſen Aſſeſſor.*

Aſſeſſors Oath.

WHICH Oath the ſaid Mayor, Recorder, and Aldermen, or the major Part of them ſo met, are hereby impowered, required, and directed to adminiſter.

V. AND

21ſt *GEORGE* II. A. D. 1747.

IV. AND for the effectual aſſeſſing, collecting and paying the reſpective Quotas for the City and County of *Albany*, and all the other Counties in this Colony, together with the before mentioned Allowance to the Collectors and County Treaſurers; **Be it Enacted** *by the Authority aforeſaid*, That the Supervizors of the ſaid City and County, and of all the other reſpective Counties in this Colony, or the major Part of them reſpectively, ſhall meet on the firſt Tueſday of *June* in every Year, during the ſaid Term; where the Majority of Supervizors reſpectively, then met, ſhall cauſe the reſpective Quotas and Allowances aforeſaid, of each County, to be raiſed, aſſeſſed, levied and collected, in the ſame Manner as the other neceſſary and contingent Charges thereof are; and the reſpective Collectors are hereby required and enjoined to pay the reſpective Quotas to be by them collected, unto the reſpective County-Treaſurers, on or before the firſt Tueſday of *October*, yearly, and every Year, during the ſaid Term; and each of ſuch County Treaſurers are hereby enjoined and required to pay the reſpective Quotas of their Counties, to the Treaſurer of this Colony, on or before the firſt Tueſday of *November* then next following, during the ſaid Term.

Manner in which the other Counties are to be taxed.

VI. **And be it Enacted** *by the Authority aforeſaid*, That ſuch Mayor, Recorder, Aldermen, Supervizors, Aſſeſſors, Collectors or County Treaſurers, within this Colony, as ſhall deny, refuſe, neglect or delay, to do, perform and execute, all or any of the Powers, Duties and Authorities, by this Act required of him or them to be done, and ſhall be thereof lawfully convicted in any of his Majeſty's Courts of Record; he or they ſhall ſuffer ſuch Pains, by Fine and Impriſonment, as by the Diſcretion of ſuch Court or Courts ſhall be adjudged.

Penalty on any Officer refuſing his Duty.

VII. **And be it Enacted** *by the Authority aforeſaid*, That the Monies to be raiſed by this Act, ſhall, by the Treaſurer of this Colony, for the Time being, be paid and applied to the following Uſes and Purpoſes, and to no other Uſe or Purpoſe whatſoever, *That is to ſay*; Unto *Philip Schuyler*, *Cornelius Cuyler*, and *Edward Collins*, the Sum of *Eight Thouſand Five Hundred and Ninety-ſeven Pounds*, *Nineteen Shillings*, to be by them applied in the Payment of Eight Hundred and Six effective Men, Volunteers, who are to be employed for the Defence and Protection of the Northern Frontiers of this Colony, and for the Annoyance of the Enemy, after the following Rates, *viz.*

The Diſpoſition of Money raiſed by this Act.

To thirteen Captains, *Ten Shillings per Diem*, each; to thirteen Lieutenants, *ſix Shillings per Diem*, each; to thirty-nine Serjeants, *Two Shillings per Diem*, each; and to ſeven Hundred and Forty-one private Men, *One Shilling and Six-pence per Diem*, each; Deduction being to be made for any Deficiency in that Number, by Death or otherwiſe: Which Forces they are hereby directed duly to pay monthly, according to the Number that ſhall be in actual Service, and not otherwiſe; which ſhall be aſcertained by the Muſter-Rolls of the ſeveral Companies, monthly delivered to the ſaid Pay-Maſters, upon the Oath of the ſeveral Captains of each Company, or the Oath of the commanding Officer, at the Time of ſuch Muſter; and by any other Method the ſaid Pay-Maſters ſhall think proper: And the ſaid Pay-Maſters are hereby further required and directed, to pay monthly to one Doctor, providing his own Medicines, and two able Aſſiſtants, to attend the ſaid Forces, the Sum of *Twelve Shillings per Diem.*

Unto each of the ſaid thirteen Captains, to defray the Expence of raiſing their compleat Companies of Sixty effective Men, compleatly armed, the Sum of *One Hundred and twenty Pounds*; and in that Proportion for a leſſer Number, provided it be not under Fifty, upon a Certificate thereof, ſigned by the Mayor, Recorder, and any two Aldermen, of the City of *Albany*; who are hereby required to make ſtrict Examination, before they ſign ſuch Certificate, that the ſaid Number of Men are, really and truly, inliſted under the ſaid Captain, and are actually upon the Service aforeſaid. And in Caſe any Captain ſhall

ſhall produce any Certificate, of a greater Number of effective Men, than are really and truly inliſted under him, and are actually on the Service aforeſaid; or that any of the aforeſaid Magiſtrates, ſhall ſign any ſuch falſe Certificate, they ſhall reſpectively forfeit the Sum of *One Hundred Pounds*; one Half thereof to his Majeſty, his Heirs and Succeſſors, to be applied towards the Defence of the Northern Frontiers of this his Majeſty's Colony; the other Half to any Perſon who will ſue for the ſame, in any Court of Record within this Colony, wherein no Protection, Wager of Law, or any more than one Imparlance ſhall be allowed.

VIII. **And be it further Enacted** *by the Authority aforeſaid*, That ſuch of the aforeſaid Forces as ſhall be poſted in the City of *Albany*, ſhall be billeted by the Mayor, Recorder and Aldermen, or the major Part of them; and in the County, by two Juſtices of the Peace living nigheſt to the Place where the ſaid Forces ſhall be poſted; and every Perſon refuſing to receive any ſuch of the ſaid Forces, ſo billeted by the Mayor, Recorder and Aldermen, of the ſaid City, or the Juſtices of the ſaid County, ſhall, for every ſuch Refuſal, forfeit the Sum of *Twenty Shillings*, current Money of this Colony; to be levied by Warrant under the Hand and Seal of the Mayor, or Recorder, or any two Aldermen of the ſaid City; or any two Juſtices of the Peace of the ſaid County: And in Caſe of Non-payment of ſuch Fine, then it ſhall be levied by Diſtreſs and Sale of the Offender's Goods, together with all the Coſt and Charges ariſing by ſuch Warrant and Diſtreſs, and Sale of the Goods, for recovering the Fine aforeſaid.

The ſaid Men to be billeted.

IX. AND whereas by an Act paſſed this preſent Seſſion, entitled, *An Act for purchaſing a Supply of Proviſions, for victualling eight compleat Companies of Forces, raiſed on the Expedition intended againſt* Canada; *or eight compleat Companies of Volunteers, to conſiſt of* One Hundred *Men each, to be employed on the Northern Frontiers of this Colony*; it is declared, that the Proviſions therein directed to be purchaſed and ſent up to *Albany*, ſhall be for the Subſiſtence of eight compleat Companies of the Forces, raiſed on the Expedition intended againſt *Canada*, to conſiſt of one Hundred effective Men each; or in Caſe they ſhould be diſbanded, then for the Subſiſtence of eight compleat Companies of Volunteers, to conſiſt of one Hundred effective Men each: And whereas it has been ſince conceived neceſſary, inſtead of the eight Companies of Volunteers, to conſiſt of one Hundred effective Men each, to raiſe thirteen Companies of Volunteers, to conſiſt of Sixty effective Men each, for the Defence of the Northern Frontiers, and Annoyance of the Enemy; and as it is conceived that a Doubt may thereupon ariſe, whether the Proviſions purchaſed and ſent up to *Albany*, by Virtue of that Act, can regularly be employ'd for the Subſiſtence of the ſaid thirteen Companies, of Sixty effective Men each: For removing of which Doubt; **Be it further Enacted** *by the Authority aforeſaid*, That the Commiſſioners at *Albany*, named in the ſaid Act, for iſſuing the ſaid Proviſions, ſhall be, and hereby are directed and required, to iſſue the ſaid Proviſions, to the ſeveral and reſpective Captains of the ſaid thirteen Companies of Volunteers, according to the Rates and Proportions directed in the aforeſaid Act, for the exact Number of Men, which they ſhall, from Time to Time, have upon actual Service, and not otherwiſe; which ſhall be aſcertained by the Oaths of the ſaid ſeveral and reſpective Captains; or in their Abſence, by the Oath of the next commanding Officer, upon their Demand of Proviſions; and by ſuch other Ways and Means as ſhall, by the ſaid Commiſſioners, be judged requiſite; any Thing in the aforeſaid Act to the contrary notwithſtanding.

Proviſions iſſued.

X. And

21ſt *GEORGE* II. A. D. 1747.

Gun-powder and Lead to be purchaſed.

X. **And be it further Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony, ſhall, out of the Monies to ariſe by Virtue of this Act, pay unto *Cornelius Vanhorne* and *Paul Richard*, the Sum of *Two Hundred and Ninety-three Pounds*, to purchaſe Sixteen Hundred Weight of Gun-Powder, and Forty-eight Hundred Weight of Lead, for the Uſe of the ſaid Forces; to be ſent up to the ſaid Pay-Maſters, to be by them diſtributed to the ſaid Men, from Time to Time, as ſhall be thought requiſite.

Unto *James Parker*, for printing the Bills of Credit, directed to be made, ſtruck and iſſued by this Act, the Sum of *Twenty Pounds*.

And unto Major *Cornelius Vanhorne* and Captain *Paul Richard*, Mr. *Abraham Lynſen*, and Mr. *Iſaac DePeyſter*, the Sum of *Fifty Pounds*, as a Reward for their Service in ſigning and numbering the ſaid Bills: And the Receipts of the ſeveral Perſons, for the ſeveral Sums above-mentioned, ſhall be to the ſaid Treaſurer, a good Voucher and Diſcharge for the ſame.

Commiſſioners Allowances.

XI. And to the End, the aforeſaid *Philip Schuyler*, *Cornelius Cuyler*, and *Edward Collins*, may be encouraged to do and perform the ſeveral and reſpective Services by this Act required to be done and performed by them reſpectively; **Be it Enacted** *by the Authority aforeſaid*, That the Treaſurer ſhall pay unto them, the Sum of *Fifty Shillings*, on every *Hundred Pounds* they ſhall employ by Virtue of this Act; and in that Proportion for a greater or leſſer Sum, as a Reward for their Care and Trouble, in the ſeveral and reſpective Services hereby required to be done and performed by them.

Recognizances to be enter'd into before they receive any of ſaid Money.

XII. **And be it Enacted** *by the Authority aforeſaid*, That they, the ſaid *Philip Schuyler*, *Cornelius Cuyler*, and *Edward Collins*, before they receive any Part of the Monies hereby directed to be paid unto them, ſhall enter into the following Recognizances, to our Sovereign Lord the King, his Heirs and Succeſſors; *that is to ſay*; Each of them before the Mayor and Aldermen of the City and County of *Albany*, in the Sum of *Three Thouſand Pounds*, with two ſufficient Sureties, each in Half that Sum; Conditioned, That they ſhall well and truly, each for his Part, employ and apply the Monies to be ſo received by them as aforeſaid, to and for the ſeveral and reſpective Uſes and Purpoſes directed by this Act; and well and duly to obſerve, do and perform, all the Directions hereby required to be obſerved, done and performed by them, according to the true Intent and Meaning thereof: Which ſeveral Recognizances are to be delivered into the Supreme Court; there to be filed and recorded.

Which Recognizances are to be put in Suit on Failure of Duty.

XIII. **And be it Enacted** *by the Authority aforeſaid*, That if either of the before named *Philip Schuyler*, *Cornelius Cuyler*, and *Edward Collins*, ſhall fail in employing and applying the Money ſo to be received by them, in Manner, and for the reſpective Uſes directed by this Act; or omit to obſerve, do and perform, what is hereby required to be obſerved, done and performed by them: In ſuch Caſe or Caſes, the ſaid Recognizances ſhall be proceeded upon in due Form of Law, againſt ſuch Offender or Offenders, or his or their Sureties, in the Supreme Court of this Colony, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance ſhall be allowed; and the Money to be recovered in Conſequence thereof, ſhall be paid into the Treaſury of this Colony, and be applied to and for ſuch Uſes as ſhall be hereafter directed by Act or Acts to be paſſed for that Purpoſe.

Exact Books to be kept of the Payment of ſaid Money.

XIV. **And be it Enacted** *by the Authority aforeſaid*, That of the due Diſpoſition and Application of the ſeveral Sums above-mentioned, the ſaid *Philip Schuyler*, *Cornelius Cuyler*, and *Edward Collins*, ſhall keep exact Books, and render true and diſtinct Accompts thereof, upon Oath, to the Governor, or Commander

Commander in Chief, for the Time being, to the Council, or to the General Aſſembly, when by them, or any of them, thereunto required.

XV. **And be it Enacted** *by the Authority aforeſaid*, That if either the ſaid *Philip Schuyler*, *Cornelius Cuyler*, or *Edward Collins*, ſhall happen to die, remove out of this Colony, or refuſe to act, according to the ſeveral and reſpective Powers and Authorities hereby directed and required; it ſhall and may be lawful, to and for the Governor, or Commander in Chief, for the Time being, by and with the Advice and Conſent of his Majeſty's Council, to nominate and appoint ſome other fit Perſon or Perſons, in the Place and Stead of him or them ſo dying, removing, or refuſing to act, as aforeſaid; any Thing herein contained to the contrary notwithſtanding. *Provided*, That the Perſon or Perſons, who ſhall be ſo appointed, ſhall be obliged to enter into the like Recognizances, with the like Sureties, as is herein directed to be done by the ſaid *Philip Schuyler*, *Cornelius Cuyler* and *Edward Collins*, before he or they be intitled to receive any Part of the Money herein mentioned; and in all other Reſpects, to be as ſubject to obſerve, do and perform, the ſeveral Directions of this Act, as if he or they had been named or appointed in it.

If either of the Commiſſioners die, or refuſe to act, other Perſons are to be appointed.

XVI. **And be it Enacted** *by the Authority aforeſaid*, That when the Treaſurer ſhall have paid the ſeveral Sums by this Act directed to be paid, all the Reſidue of the Money to be levied by this Act, ſhall remain in the Treaſury, to be diſpoſed of by Act or Acts hereafter to be paſſed for that Purpoſe, and not otherwiſe.

Reſidue of the Money to remain in the Treaſury.

XVII. AND as it is conceived, that it will be impracticable to have the aforeſaid Sums of Money collected as ſoon as the preſent Exigencies of the Colony require, the General Aſſembly pray it may be enacted; and, **Be it Enacted** *by the Authority aforeſaid*, That for making immediate Payment for the ſeveral Services now abſolutely neceſſary to be provided for, Bills of Credit to the Value of *Twenty-eight Thouſand Pounds*, be forthwith printed, made and iſſued, upon the Credit of the Money to be raiſed and levied by Virtue of this Act, *that is to ſay*; Twelve Hundred Bills, of *Ten Pounds* each; Twelve Hundred and Fifty Bills, of *Five Pounds* each; Twelve Hundred and Fifty Bills, of *Three Pounds* each; Twelve Hundred and Fifty Bills, of *Two Pounds* each; and, Three Thouſand Five Hundred Bills, of *Twenty Shillings* each: Upon each and every of which Bills ſhall be impreſſed, on the left Side thereof, the Arms of the City of *New-York*; and under the Arms, in different Characters, theſe Words, *Its Death to counterfeit this Bill*; which Bills ſhall be in the Form following, *that is to ſay*;

28,000*l.* in Bills of Credit to be printed, to anſwer the immediate Payments.

BY *a Law of the Colony of* New-York, *this Bill ſhall paſs current for* New-York, *the Twenty-fifth Day of* November, *One Thouſand Seven Hundred and Forty-ſeven.*

Form of ſaid Bills.

WHICH Bills ſhall be ſigned by Meſſrs. *Cornelius Vanhorne*, *Paul Richard*, *Abraham Lynſen* and *Iſaac De Peyſter*, or any three of them, and be numbred by one of them; and in Caſe of the Death of any of the ſaid Perſons, the ſaid Bills ſhall be ſigned by the Majority of the Survivors of them.

Signers of ſaid Bills.

XVIII. **And be it Enacted** *by the Authority aforeſaid*, That *Abraham De Peyſter*, the preſent Treaſurer of this Colony, in whoſe Hands the Stamps of the Arms of the City of *New-York*, and the other Plates, are depoſited, ſhall, in the Preſence of the Signers aforeſaid, or the major Part of them, deliver them unto *James Parker*, Printer; who is hereby appointed to print the ſaid Bills, and on them to impreſs, the ſaid Arms and Plates; which, when done, the ſaid *James Parker*, ſhall re-deliver to the ſaid Treaſurer, the ſaid Stamps

The Stamps to be delivered to the Printer.

21ſt *GEORGE* II. A. D. 1747.

and Plates, in the Preſence of the Signers aforeſaid, or the major Part of them; and the Receipt of the ſaid Treaſurer, ſhall be to the ſaid Printer, a ſufficient Diſcharge for the ſame; and the ſaid Printer is hereby required and directed, to deliver to the Signers hereby appointed to ſign the ſaid Bills, every Bill of Credit by him printed; and ſhall upon his Delivery of the ſaid Bills, take an Oath, *That the Bills of Credit by him then delivered, are all the Bills of Credit by him printed by Virtue of this Act; and that neither he, the ſaid Printer, nor any other Perſon, by his Conſent, Privity or Procurement, has, directly or indirectly, printed any other, or more of them, than are there by him delivered.* Which Oath, all or any of the ſaid Signers are hereby impowered, required and directed, to adminiſter.

Printer's Oath.

XIX. **And be it Enacted** *by the Authority aforeſaid,* That the Perſons herein appointed to ſign the ſaid Bills of Credit, ſhall take an Oath before a Magiſtrate of the City of *New-York*, each of them, *Well and truly to perform what by this Act they are enjoined as their Duty; and will knowingly ſign no more Bills of Credit, than what by this Act is directed.* And if it ſhall happen, that any ſupernumerary Bills ſhall be left, after the ſaid Number ſhall be delivered to the Treaſurer, in Manner aforeſaid, all ſuch ſupernumerary Bills, ſhall be burnt and deſtroyed by the ſaid Signers, or the Majority of them, or by the Majority of the Survivors of them in the Preſence of the Treaſurer of this Colony.

Signer's Oath.

XX. **And be it Enacted** *by the Authority aforeſaid,* That the Bills of Credit enacted and appointed by this Act to be current, ſhall be received by the Treaſurer of this Colony, in all publick Payments, and for any Fund, at any Time in the Treaſury, and by any Perſon within this Colony, in all Caſes whatſoever, during the Time they are enacted to continue, and be as effectually current, as any other Bills of Credit made current in this Colony, by any Act of the Governor, Council and General Aſſemby; and any Perſon or Perſons refuſing to take them in Payment (during the Time hereby appointed for the ſaid Bills to be current) for any Sum due, or hereafter to become due, or for any Contract already made, or hereafter to be made, or for any Conſideration whatſoever, for any Effects or Services already delivered or performed, or hereafter to be delivered or performed; ſhall be liable, and is and are made liable and ſubjected to all the Penalties and Forfeitures contained in any Act or Acts of the Governor, Council and General Aſſembly of this Colony, at any Time enacting and enforcing the Currency of Bills of Credit, as fully, to all Intents, Conſtructions and Purpoſes whatſoever, as if the Words of all or any of the Acts aforeſaid, relating to the Bills of Credit, or enacting and enforcing the Currency of the Bills of Credit in them mentioned, had been particularly expreſs'd or tranſcribed, and herein and hereby enacted.

The Currency of theſe Bills.

XXI. **And be it Enacted** *by the Authority aforeſaid,* That if any Perſon or Perſons whatſoever, ſhall counterfeit any of the Bills of Credit made current by this Act, or ſhall alter any of the ſaid Bills made current, as aforeſaid, ſo that they ſhall appear to be of greater Value than by this Act the ſame Bill or Bills ſo altered, were enacted, ſigned or numbered to paſs current for, or ſhall knowingly paſs, or give in Payment any of the Bills aforeſaid, ſo counterfeited or altered; every Perſon guilty of counterfeiting or altering any of the ſaid Bills as aforeſaid, or of knowingly paſſing or giving in Payment any ſuch counterfeit or altered Bills, ſhall be guilty of Felony; and being thereof convicted, ſhall ſuffer the Pains of Death, without the Benefit of Clergy: And though ſuch counterfeiting, altering, or knowingly paſſing counterfeit or altered Bills, ſhall be done out of this Colony; yet any Grand Jury within the City and County of *New-York*, is hereby impowered to preſent the ſame, and

Felony without Benefit of Clergy, to counterfeit, &c. the ſaid Bills.

and to ſet forth in the Indictment, the Place where, by their Evidence, it appeared that the Fact was committed; which Indictment is hereby declared good, notwithſtanding that the Place alledged, be out of this Colony; and the Petty Juries, on the Trials of all ſuch Iſſues, ſhall be returned from the Body of the City and County of *New-York*; any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

The Offence may be charged to be done in the City of *New-York*, tho' done out of the Colony.

XXII. **And be it further Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony, ſhall be, and hereby is required and directed, upon no Account whatſoever, to iſſue or give in Payment, any of the Bills of Credit made current by this Act, any otherwiſe, than as hereby directed, or as ſhall be directed by Act or Acts hereafter to be paſſed for that Purpoſe.

Treaſurer not to iſſue any Bills otherwiſe than hereby directed.

XXIII. **And be it further Enacted** *by the Authority aforeſaid*, That the Bills of Credit, made, ſtruck and iſſued, by Virtue of this Act, ſhall be and remain current, until the twenty-fifth Day of *November*, which will be in the Year of our Lord One Thouſand ſeven Hundred and Fifty-ſix.

Limitation of the Currency of theſe Bills.

XXIV. **And be it further Enacted** *by the Authority aforeſaid*, That as the Money to be raiſed, levied and collected, by Virtue of this Act, ſhall be paid into the Treaſury, the Treaſurer of this Colony, for the Time being, ſhall, and he is hereby directed and required, to uſe his utmoſt Endeavours to exchange the ſame for the Bills of Credit made current by this Act; which ſaid Bills ſo procured, ſhall be kept in the Treaſury, ready to be cancelled in the Manner herein after directed.

The Treaſurer to uſe all Endeavours to exchange the Bills collected by this Act.

XXV. AND to the End that all the aforeſaid Bills may be ſunk, cancelled, and deſtroyed; **Be it Enacted** *by the Authority aforeſaid*, That *David Jones*, *Cornelius Vanhorne*, *Paul Richard*, and *Henry Cruger*, Eſqrs. ſhall be, and hereby are appointed, impowered and required, to ſee cancelled and deſtroyed, all and every the Bills of Credit made current by this Act, which, from Time to Time ſhall be ready for cancelling, in Manner as is hereafter directed.

Perſons appointed to cancel ſaid Bills,

[*Section* 26, *relating to the Sinking of the Bills, is repealed, and provided for, by* Chap. 861, § 1.]

XXVII. **And be it further Enacted** *by the ſaid Authority*, That for every wilful Omiſſion or Neglect, either by the ſaid Treaſurer, or the aforeſaid Perſons ſo appointed, reſpecting the ſaid Service, each and every of them, for each ſuch his Omiſſion and Neglect, ſhall forfeit and pay the Sum of *Five Pounds*.

Penalty for Omiſſion.

XXVIII. AND to the End, that the good Purpoſe of duly cancelling and deſtroying the ſaid Bills of Credit, may not be obſtructed, for Want in the Treaſury, of a ſufficient Number of the Bills of Credit made current by this Act; the ſaid Treaſurer is hereby directed and required, in the Preſence of the before named Perſons ſo appointed, or any two of them, to cancel in Manner as aforeſaid, any other of the Bills of Credit of this Colony, then in the Treaſury, to make good ſuch Deficiency; the ſaid Treaſurer, and the ſaid Perſons ſo appointed, keeping an exact Account thereof, in Manner before directed; always obſerving to cancel ſuch Bills firſt, as are of the oldeſt Date, or are moſt ſhattered and defaced. *Provided always*, That the Produce of the ſeveral and reſpective Funds for the Support of the Government, be kept intire, and no Ways leſſened thereby; which ſaid other Bills, ſo cancelled, ſhall, by the Treaſurer, be brought to the Account of the Funds to which they reſpectively belong; and the ſeveral Funds for ſinking the ſaid Bills, ſhall be appropriated as the ſaid ſeveral Exchanges ſhall be made.

For want of Bills made by this Act, any other Bills of Credit may be cancelled.

21ſt *GEORGE* II. A. D. 1747.

Rewards for the Cancellors of the Bills.

XXIX. AND to the End that the ſaid Perſons herein before mentioned and appointed, may be encouraged to do and perform the ſeveral Services hereby directed to be done and performed by them; **Be it Enacted** *by the Authority aforeſaid*, That for every Day that they ſhall be actually employed in the ſaid Service of cancelling the Bills of Credit, as aforeſaid, they ſhall each and every of them, have and receive, for each Day's Service and Attendance, the Sum of *Twenty Shillings*; which the ſaid Treaſurer is hereby directed to pay them, out of the Funds appropriated for the Support of the Government; and their Receipts to the ſaid Treaſurer, ſhall be a ſufficient Diſcharge for the ſame: And it is alſo directed, that the Hours for Attendance to be computed for one Day, ſhall be at leaſt from Ten to Twelve in the Morning, and from Two to Four in the Afternoon.

If any of the Cancellors die, or refuſe to act, others to be appointed.

XXX. **And be it further Enacted** *by the Authority aforeſaid*, That if more than two of the above-named Perſons, ſhall die, remove out of the Colony, or refuſe to act, as is hereby required, it ſhall and may be lawful, to and for the Governor, or Commander in Chief of this Colony, for the Time being, by and with the Advice and Conſent of his Majeſty's Council, for this Colony, to nominate and appoint ſome other fit Perſon or Perſons, in the Place or Stead of ſuch Perſon or Perſons, ſo dying, removing, or refuſing to act, as aforeſaid; which Perſon and Perſons, ſo nominated and appointed, ſhall have, and be veſted with full Powers and Authorities, be liable to the like Penalties and Forfeitures, and intitled to the ſame Reward, as if he or they was or were named and appointed in and by this Act; any Thing therein contained to the contrary notwithſtanding.

CHAP. DCCCLV.

An ACT *for the Relief of the Poor in the County of* Suffolk.

Paſs'd the 25th of November, 1747.

Overſeers of the Poor to be elected.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful, for the Freeholders and Inhabitants of each reſpective Town, Manor, and Precinct, in the County of *Suffolk*, at their annual Meetings for electing Officers, to chuſe and elect, at the ſame Time, ſo many Perſons to be Overſeers of the Poor, as the Majority of the Freeholders and Inhabitants of ſuch Town, Manor, or Precinct, then preſent, ſhall judge neceſſary.

Who, together with the Juſtices, ſhall make Orders for employing and providing for the Poor.

II. **And be it Enacted** *by the Authority aforeſaid*, That the ſaid Overſeers, or the greater Part of them reſpectively, by and with the Conſent of two or more Juſtices of the Peace, dwelling in or near ſuch Town, Manor and Precinct, ſhall take Order, from Time to Time, for ſetting to work all ſuch Perſons, married or unmarried, as have no viſible Means to maintain themſelves; and alſo to raiſe a competent Sum of Money, yearly, to purchaſe proper Materials for the Poor to work on; for the neceſſary Relief of ſuch poor People, as are not able to work; and for putting poor Children Apprentices: Which Sum of Money they, the ſaid Overſeers, with Conſent as aforeſaid, are hereby authoriſed and required, to aſcertain; and the ſame being ſo aſcertained, ſhall be aſſeſſed, levied and collected, by Warrant from the ſaid Juſtices, directed to the Aſſeſſors and Collectors of each reſpective Town, Manor and Precinct, chargeable therewith, in the ſame Manner as the other neceſſary and contingent Charges, of the ſaid County, are; and the ſame being ſo aſſeſſed, levied and collected, ſhall

ſhall be paid unto the Overſeers of each reſpective Town, Manor and Precinct, on or before the Twenty-fifth of *March*, in every Year, for the Uſes aforeſaid.

III. **And be it Enacted** *by the Authority aforeſaid*, That the ſaid Overſeers, or the major Part of them, by and with Conſent, as aforeſaid, are hereby impowered to bind Apprentices, all ſuch Children, whoſe Parents ſhall not, by the Overſeers and Juſtices, as aforeſaid, be thought able to keep and maintain them, where they, the ſaid Overſeers and Juſtices, as aforeſaid, ſhall ſee convenient, till ſuch Male Child come to the Age of Twenty-one Years, and ſuch Female Child to the Age of Eighteen.

Children of poor People to be put out Apprentices.

IV. **And be it Enacted** *by the Authority aforeſaid*, That the Overſeers, or major Part of them, by and with Conſent, as aforeſaid, ſhall find and provide, in each Town, Manor, and Precinct, in the County aforeſaid, for the Dwelling of the Poor, and ſetting them to Work, ſome fit and convenient Place, at the Charge of the reſpective Town, Manor, or Precinct where the ſame may be; which Charge ſhall be aſcertained, aſſeſſed, levied, collected and paid, as above.

A Dwelling Place to be provided for the Poor, *&c.*

V. **And be it Enacted** *by the Authority aforeſaid*, That the ſaid Overſeers, or ſuch of them as have received ſuch Sum or Sums of Money, and as ſhall not be hindred by Sickneſs, or other juſt Excuſe, to be allowed of by two or more Juſtices of the Peace, of the ſaid County, ſhall meet together once every Year at the leaſt, in each reſpective Town, Manor and Precinct; and ſhall render upon Oath, unto two ſuch Juſtices of the Peace, as aforeſaid, a true and perfect Account of all ſuch Sum or Sums of Money, by them ſo received and applied, as aforeſaid; and all ſuch Sum or Sums of Money as ſhall be in their Hands, ſhall pay and deliver over to the Overſeers reſpectively, who ſhall be elected in each Town, Manor and Precinct, for the next enſuing Year, upon Penalty of *Twenty Shillings*; to be recovered before any one Juſtice of the Peace of the ſaid County; to be applied, to and for the Relief of the Poor, where the Default ſhall happen.

Overſeers at the End of the Year to deliver what publick Money they have, to thoſe who act for the Year enſuing.

CHAP. DCCCLVI.

See Cap. 411. *which is another Act to this Purpoſe.*

An ACT *to prevent private Lotteries within this Colony.*

Paſs'd the 25th of November, 1747.

WHEREAS ſeveral Perſons of late, have ſet on Foot, and opened private Lotteries within this Colony; which being under no Reſtrictions by Law, are attended with pernicious Conſequences to the Publick, by encouraging Numbers of labouring People to aſſemble together at Taverns, where ſuch Lotteries are uſually ſet on foot and drawn: For Remedy whereof;

Preamble.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That if any Perſon or Perſons whatſoever, ſhall, after the Publication of this Act, preſume to open, ſet on foot, or draw any private Lottery whatſoever, under whatſoever Name, Title or Denomination, the ſame may paſs; he, ſhe or they, ſhall reſpectively forfeit and pay double the Sum of which ſuch Lottery ſhall conſiſt; to be recovered by any Perſon or Perſons who will ſue for the ſame, in any Court of Record within this Colony; one Half of which Forfeiture to be paid to the Treaſurer of this Colony, for and towards the Support of this Government, and the other Half to the Perſon that ſhall ſue for the ſame as aforeſaid.

No private Lottery to be ſet up under a Forfeiture of double the Value of which it ſhall conſiſt.

The

21ſt *GEORGE* II.
A. D. 1748.

The Nineteenth ASSEMBLY.

FIRST SESSION.

CHAP. DCCCLVII.

See Chap. 835.
Expired 1ſt of *December*, 1748.

An ACT *to revive an Act, entitled,* An *Act* for the Eſtabliſhing a Military-Watch in the City and County of *Albany, with ſome Addition thereto.*

Paſs'd the 8th of April, 1748.

CHAP. DCCCLVIII.

Obſolete.

An ACT *for enabling the Inhabitants of the Townſhip of* Schenectady, *to erect and build two new Block-Houſes in the ſaid Town, for the better Defence thereof.*

Paſs'd the 8th of April, 1748.

CHAP. DCCCLIX.

See Chap. 648. *a.*
Reviv'd Ch. 879.

An ACT *to revive an Act, entitled,* An *Act* to provide able Pilots, and to eſtabliſh their Pilotage between *Sandy-Hook* and the Port of *New-York.*

Paſs'd the 8th of April, 1748.

CHAP. DCCCLX.

Reviv'd Ch. 870.

An ACT *for raiſing the Sum of* One Thouſand Eight Hundred Pounds, *by a publick Lottery, for a further Proviſion towards founding a College for the Advancement of Learning within this Colony.*

Paſs'd the 8th of April, 1748.

CHAP. DCCCLXI.

An ACT *for the more effectual Cancelling the Bills of Credit of this Colony.*

Paſs'd the 8th of April, 1748.

Preamble.

WHEREAS a great Number of the Bills of Credit of this Colony, are, and remain un-cancelled, through the Neglect, Death or Abſence of ſuch Perſons, who by the reſpective Acts of this Colony, were impowered to cancel the ſame; and to the End that the Eſtimation and Value of the Bills of Credit of this Colony, may not be leſſened, and that no Perſon may ſuffer for the Want of a due, ſtrict, and orderly cancelling the ſaid Bills;

Commiſſioners appointed to cancel the Bills of Credit.

I. **Be it Enacted** *by the Governor, the Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That *David Jones, Cornelius Van Horne, Paul Richard,* and *Henry Cruger,* Eſqrs, or any Three of them, ſhall be, and hereby are appointed Commiſſioners, and impowered and required, to ſee cancelled, all and every the Bills of Credit of this Colony, which from Time to Time ſhall be ready for cancelling, in Manner as is hereafter directed: And

All Acts relating to the Cancelling of Bills repealed.

And that all and every Article and Clauſe, in all and every the Acts heretofore paſſed in this Colony, with reſpect only to the Manner and Method of ſinking and cancelling Bills of Credit, and in the Preſence of whom they ſhall be cancelled, ſhall be, and hereby are declared and made null and void.

Manner how, and Times when the Bills are to be cancelled.

II. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Commiſſioners, or any Three of them, ſhall, in the firſt Week of *June* and *November*, in every Year, attend at the Treaſury, and ſee burned to Aſhes, the Bills of Credit directed to be cancelled, and then ready and prepared for cancelling: And the ſaid Treaſurer is hereby directed and required, to give Notice in Writing, to the ſaid Commiſſioners, what Days in the ſaid Weeks he ſhall be ready and prepared to cancel the ſame; and ſhall inſert in the ſaid Notice, the Number of Bundles of Bills, the Years and Cauſe of Emiſſion, and the Denomination or Value of each Sort of Bills ſo to be cancelled and deſtroyed; and alſo the Sum what each reſpective Fund for cancelling Bills of Credit, has produced, in order to know the Amount of the Bills of Credit then to be cancelled: And the ſaid Commiſſioners are hereby directed and required, carefully to tell and examine, the Bills in the ſaid Bundles, and to ſee them burnt and deſtroyed, in Manner as aforeſaid; and of the Whole to deliver in a juſt and true Account on Oath, to the Governor, or Commander in Chief, the Council, and General Aſſembly for the Time being, when by them, or any of them, thereunto required.

Penalty for Omiſſions.

III. **And be it further Enacted** *by the ſaid Authority*, That for every willful Omiſſion or Neglect, either by the ſaid Treaſurer, or the aforeſaid Commiſſioners, reſpecting the ſaid Service; each and every of them, for each ſuch his Omiſſion and Neglect, ſhall forfeit and pay the Sum of *Five Pounds*.

If a ſufficient Number of Bills be not ready to be cancelled, the Treaſurer to procure more, &c.

IV. AND to the End, that the good Purpoſe of duly cancelling, and deſtroying the ſaid Bills of Credit, may not be obſtructed, for Want in the Treaſury of a ſufficient Number of the reſpective Bills to be then cancelled; the ſaid Treaſurer is hereby directed and required, to endeavour to procure, by exchanging for other publick Bills of Credit of this Colony, the full Sum of the ſeveral and reſpective Bills of Credit, ſome Time before the reſpective Times appointed for cancelling and deſtroying the ſame: And if it ſhall ſo happen, that the ſaid Treaſurer, at the Times of cancelling, ſhall not have in the Treaſury, or ſhall not be able to exchange a ſufficient Number of Bills; he may, in ſuch Caſe, and he is hereby directed and required, to cancel, in the Room and Stead thereof, in the Preſence of the before-named Commiſſioners, or any two of them, and in Manner as aforeſaid, any other of the Bills of Credit of this Colony, then in the Treaſury, to make good ſuch Deficiency; the ſaid Treaſurer, and the ſaid Commiſſioners, keeping an exact Account thereof, in Manner before directed; always obſerving to cancel ſuch Bills firſt, as are of the oldeſt Date, or are moſt ſhattered and defaced; which ſaid other Bills, ſo cancelled, ſhall, by the Treaſurer, be brought to the Account of the Funds to which they reſpectively belong: And the ſaid ſeveral Funds for ſinking the ſaid Bills, ſhall be appropriated as the ſaid ſeveral Exchanges ſhall be made. *Provided always*, that the Produce of the ſeveral and reſpective Funds for the Support of the Government, be kept intire, and no ways leſſened thereby.

|| Chap. 666.

V. AND whereas by an Act, entitled, *An* || Act *for emitting Bills of Credit, for the Payment of the Debts; and for the better Support of the Government of this Colony; and other the Purpoſes therein mentioned*; paſſed in the eleventh Year of his Majeſty's Reign; it is enacted, That the Perſons therein mentioned, ſhall,

21ſt *GEORGE* II. A. D. 1748.

ſhall, at certain Periods, cancel the Bills of Credit then emitted; which Times or Periods of cancelling, have, by a ſubſequent Act, paſſed in the ſeventeenth Year of his Majeſty's Reign, been altered and prolonged to the third Tueſday in the Month of *April*, in the Years One Thouſand ſeven Hundred and Fifty-one, One Thouſand ſeven Hundrcd and Fifty-two, One Thouſand ſeven Hundred and Fifty-three, and One Thouſand ſeven Hundred and Fifty-four; which Method of cancelling, was to be, by laying ſome Numbers of the Bills orderly, one above another, and cutting a Triangle from the upper Side of them; and the Triangles cut out, to be burnt and deſtroyed, in the Preſence of the Juſtices and Superviſors therein mentioned; and the remaining Parts to be delivered to the Treaſurer. And as ſome of the ſaid Bills, which are now to remain current to the Year One Thouſand ſeven Hundred and Fifty-four, will probably be ſo much ſhattered, torn and defaced, that the remaining Part to be delivered to the Treaſurer, will not diſcover what the ſaid Bills have been; **Be it therefore further Enacted** *by the Authority aforeſaid*, That the reſpective Loan-Officers therein mentioned, when the Directions have been purſued, and the Examinations, by the Superviſors and Juſtices, have been made and done, as directed by the ſaid Act; they ſhall deliver over to the Treaſurer, the ſaid Bills, without ſuch Cutting, as aforeſaid: And the ſaid Bills ſhall be cancelled in the Preſence of the ſaid Commiſſioners, or any two of them, in the ſame Manner with the other Bills to be cancelled by this Act.

The Method of cancelling Bills in the Loan-Office Act, Chap. 666. Sect. 36. altered.

VI. **And be it further Enacted** *by the ſaid Authority*, That the ſaid Treaſurer ſhall, and is hereby directed and required, in the firſt Week in *October*, in every Year, to cauſe to be advertiſed in one or more of the publick News-Papers of this Colony, the Time when the Cancelling of the Bills of Credit is to be; and to deſire all Perſons poſſeſſed of ſhattered, torn, or defaced Bills of Credit, to bring them to the Treaſury, in order to be exchanged for other Bills fit to paſs: Which ſaid defaced exchanged Bills, ſhall be cancelled and deſtroyed by the ſaid Treaſurer, in the Preſence of the Commiſſioners aforeſaid, or any two of them, in the ſame Manner as is directed in Reſpect to the other Bills of Credit to be cancelled by this Act: Which ſaid defaced Bills, ſo cancelled, ſhall, by the Treaſurer, be brought to the Accounts of the Funds to which they reſpectively belong; or to any other Fund, of which there ſhall then be a Deficiency of Bills in the Treaſury, then to be ſunk.

The Treaſurer to adverti ſe the Time of cancelling the Bills.

VII. **And be it further Enacted** *by the Authority aforeſaid*, That the Speaker of the General Aſſembly for the Time being, ſhall, at every Meeting of the General Aſſembly, after the firſt Day of *November*, in every Year, cauſe to be publiſhed in the Votes and Proceedings of the ſaid General Aſſembly, and in one or more of the publick News-Papers of this Colony, the true State and Account of the ſeveral and reſpective Funds for cancelling the Bills of Credit of this Colony; what each Fund has produced to the firſt Day of *September*, in every Year; what the Amount of the Bills of Credit of the ſeveral Emiſſions, or in Caſe of Deficiency, what others in the Stead thereof, have been ſunk to the ſaid firſt Day of *September*; to the End that the Publick may be advertiſed of the true State and Ballance of the ſaid Funds, and what Bills have been ſunk in Diſcharge thereof.*

The Speaker to publiſh in the Votes of Aſſembly annually, the State of the Funds for cancelling Bills.

* See Sect. 5. of Chap. 862.

VIII. And to the End that the ſaid Commiſſioners herein before mentioned and appointed, may be encouraged to do and perform the ſeveral Services hereby directed to be done and performed by them; **Be it Enacted** *by the Authority aforeſaid*, That for every Day that they ſhall be actually employed in the ſaid Service of cancelling the Bills of Credit, as aforeſaid, they ſhall each and every of them, have and receive, for each Day's Service and Attendance,

dance, the Sum of *Twenty Shillings*; which the ſaid Treaſurer is hereby directed to pay them, out of the Funds appropriated for the Support of the Government; and their Receipts to the ſaid Treaſurer, ſhall be a ſufficient Diſcharge for the ſame. And it is alſo directed, that the Hours for Attendance to be computed for one Day, ſhall be, at leaſt, from Ten to Twelve in the Morning, and from Two to Five, in the Afternoon.

Commiſſioners. Reward.

IX. **And be it further Enacted** *by the Authority aforeſaid*, That if more than two of the above-named Commiſſioners, ſhall die, remove out of this Colony, or refuſe to act, as is hereby required; it ſhall and may be lawful, to and for the Governor, or Commander in Chief of this Colony, for the Time being, by and with the Advice and Conſent of his Majeſty's Council for this Colony, to nominate and appoint ſome other fit Perſon or Perſons, in the Place or Stead of ſuch Perſon or Perſons, ſo dying, removing, or refuſing to act, as aforeſaid; which Perſon and Perſons ſo nominated and appointed, ſhall have and be veſted with full Powers and Authorities, be liable to the like Penalties and Forfeitures, and intitled to the ſame Reward, as if he or they was or were named and appointed a Commiſſioner or Commiſſioners, in and by this Act; any Thing herein contained to the contrary notwithſtanding.

If the Commiſſioners die, or refuſe to Act, others to be appointed.

CHAP. DCCCLXII.

An ACT *for appointing Commiſſioners to take, examine and ſtate the publick Accounts of the Colony of* New-York, *from the Year One Thouſand Seven Hundred and Thirteen.*

Paſs'd the 8th of April, 1748.

FORASMUCH as the publick Faith, Credit and Trade of the Colony, may greatly ſuffer, for Want of a due and regular Examination and State of the publick Accounts;

Preamble.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the Members of the General Aſſembly for the Time being, for the City and County of *New-York*, or the major Part of them, ſhall be, and hereby are appointed Commiſſioners to take, examine and ſtate the publick Accounts of the Colony, from the Year One Thouſand Seven Hundred and Thirteen, to the firſt Day of *September*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty, in ſuch a Manner and Method as to them, or the major Part of them, ſhall ſeem beſt, for anſwering the good Purpoſes hereby intended, ſo that the Whole of the ſaid Accounts be digeſted and placed under proper Heads or Titles, in reſpect to the paſt, preſent, and future Branches of the Revenue: Which Accounts, ſo examined and digeſted, ſhall be duly and regularly entered in Books for that Purpoſe, in the Manner and Method that ſhall be formed and directed by the ſaid Commiſſioners, or the major Part of them.

Commiſſioners appointed to ſee the publick Accounts ſtated.

II. **And be it further Enacted** *by the ſame Authority*, That the Clerk of the General Aſſembly for the Time being, ſhall be, and hereby is impowered and required, duly and carefully to examine all the future Receipts and Iſſues of the publick Monies in the Treaſury, from the ſaid firſt Day of *September*, One Thouſand Seven Hundred and Fifty; and that from Time to Time, he do range and place them under proper Heads; and from the Whole, draw a Ballance yearly, ending every firſt Day of *September*, under the Inſpection and Direction of the ſaid Commiſſioners, or the major Part of them.

The Clerk of the General Aſſembly required to examine the publick Accounts.

21ſt GEORGE II. A. D. 1748.

The Treaſurer to ſhew his Accounts to the Commiſſioners and Clerks.

III. **And be it further Enacted** *by the ſame Authority*, That the Treaſurer of the Colony for the Time being, ſhall, and he is hereby required and directed, to allow and permit the ſaid Commiſſioners, their known Clerk, and the Clerk of the General Aſſembly for the Time being, free Acceſs to, and the Peruſal and Examination of all or any of the Treaſurer's Books of Accounts.

Allowances to the Clerks, &c.

IV. **And be it further Enacted** *by the ſaid Authority*, That the ſaid Treaſurer, do pay unto the Order of the ſaid Commiſſioners, or unto the Order of the major Part of them, out of the Funds appropriated for the Support of the Government, the Sum of *Fifty Pounds*, for a Clerk or Clerks, and for other Contingencies neceſſary for the Carrying on and compleating the Examination, and ſtating the ſaid publick Accounts, in Manner as aforeſaid: And unto the ſaid Clerk of the General Aſſembly, out of the aforeſaid Funds, yearly, the Sum of *Fifteen Pounds*, as a Salary, for examining, continuing and carrying on the ſaid publick Accounts, in Manner as aforeſaid; and the Order of the ſaid Commiſſioners, or the major Part of them, certifying, yearly, that the ſaid Clerk, has well and truly performed the ſaid Service; which Order, and the Receipt of the Clerk of the General Aſſembly thereupon, and the Order before mentioned, for the Sum of *Fifty Pounds*, to the ſaid Commiſſioners, ſhall be to the ſaid Treaſurer, a ſufficient Warrant and Diſcharge for the ſame reſpectively.

State of the publick Accounts to be printed yearly.

‡ *See* Sect. 7, *of* Chap. 861.

V. **And be it further Enacted** *by the Authority aforeſaid*, To the End, that all Perſons concerned, may know and be acquainted with the State and Condition of the publick Accounts and Funds; the Speaker of the General Aſſembly for the Time being, ſhall, within ten Deys after the firſt Day of *September*, in every Year, or as ſoon as may be after the ſaid Day, order and direct the Publiſhing a ſhort and general State of the publick Accounts and Funds, in the Votes and Proceedings of the General Aſſembly; and in one or more of the publick News-Papers of this Colony. ‡

CHAP. DCCCLXIII.

Expired the 24th March, 1748.

An ACT *for the Relief of Inſolvent Debtors in the Colony of* New-York, *with reſpect to the Impriſonment of their Perſons.*

Paſs'd the 8th of April, 1748.

CHAP. DCCCLXIV.

Obſolete.

An ACT *to make Proviſion for the ſeveral Services, for the Defence and Security of the Frontiers, and other Purpoſes therein mentioned.*

Paſs'd the 8th of April, 1748.

CHAP. DCCCLXV.

An ACT *for fixing the Places of Election of Repreſentatives in* Orange *and* Suffolk *Counties.*

Paſs'd the 8th of April, 1748.

Preamble.

WHEREAS the Places of electing Repreſentatives, for *Orange* County, to ſerve in General Aſſembly, have hitherto been appointed by the Sheriffs thereof; and by Reaſon of a large Range of Mountains running thro' the Middle of the ſame County, the ſaid Places have, at Times, been found very

very inconvenient, troubleſome and expenſive, to moſt of the Freeholders; and many of them not being able to bear the Fatigue of croſſing the ſaid Mountains, have been obliged to ſtay at Home; and thereby were deprived voting for their Repreſentatives: To remedy which, for the Future;

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That, for the Time to come, all Elections of Repreſentatives for the ſaid County of *Orange*, to ſerve in the preſent, or any future General Aſſembly, ſhall begin and be firſt opened at the Court-Houſe, or ſome other convenient Place in *Orange* Town; or at the Court-Houſe, or ſome other convenient Place in the Town of *Goſhen*: And when the Sheriff, or other proper Officer, ſhall, after due and legal Notice to the Freeholders, have begun and opened the Election, at either of the ſaid Places, he ſhall proceed and carry on the ſame there, and duly and regularly take the Votes or Polls of all ſuch Freeholders, as, by Law, are qualified, and ſhall offer themſelves to vote or poll for Repreſentatives, at ſuch Elections, until all of them ſhall have voted or polled; and then the ſaid Sheriff, or other Officer, ſhall immediately thereupon, publickly adjourn the Poll, and further Election of the Candidates, for any Number of Days not exceeding ſix, nor leſs than four Days, to the other Court-Houſe, or Place of Election, by this Act appointed for electing of Repreſentatives; and there proceed, continue, carry on, cloſe and finiſh the ſaid Election, in a due and orderly Manner; ſo that all the Freeholders of the ſaid County, having Votes, may, if they pleaſe, be polled at ſuch Elections.

Places of Election in *Orange* County.

II. **And be it further Enacted** *by the Authority aforeſaid*, That all Elections, hereafter made in the ſaid County, for Repreſentatives, contrary to the Directions of this Act, ſhall, and are hereby declared to be null and void: And all other Proceedings neceſſary in the Election of Repreſentatives for the ſaid County, not herein before directed and provided for, ſhall be carried on and purſued in ſuch Manner, as by Law they ought to be. And if any Sheriff, or his Deputy, ſhall, in the Election of Repreſentatives for the ſaid County, act, proceed, or do any act or Thing contrary to the Directions and true Intent and Meaning of this Act; the Perſon or Perſons ſo offending, ſhall forfeit to the Party or Parties grieved, the Sum of *Fifty Pounds*, current Money of this Colony; to be recovered by him or them ſo grieved, by Action of Debt, Bill, Plaint, or Information, in any Court of Record within this Colony, with full Coſt of Suit, wherein no Eſſoin, Protection, Wager of Law, or any more than one Imparlance ſhall be allowed.

Elections made contrary to this Act, to be void.

III. AND whereas the County of *Suffolk* is very extenſive, and no Place therein has hitherto been fixed, aſcertained, and appointed by Law, for the meeting and aſſembling of the Freeholders of the ſaid County, for the electing of their Repreſentatives to ſerve in General Aſſembly; ſo that the Sheriffs of the ſaid County have, from Time to Time, arbitrarily, and at their own Will and Pleaſure, appointed the Places for the ſaid Elections to be made; and ſometimes at the extreme Parts of the ſaid County, to the great Grievance of the Freeholders of the ſaid County: For Remedy whereof, for the Future; **Be it Enacted** *by the Authority aforeſaid*, That in all Elections hereafter to be made, of Repreſentatives for the ſaid County of *Suffolk*, to ſerve in this or any future General Aſſembly, the Sheriff of the ſaid County, for the Time being, or his Deputy, ſhall hold his Court of Election at the County-Hall of the ſaid County of *Suffolk*, and at no other Place whatſoever; any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

Place of Election in *Suffolk* County.

21ſt *GEORGE* II. A. D. 1748.

Elections made contrary to this Act, to be void.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That if any Sheriff of the ſaid County of *Suffolk*, or any Deputy of the ſaid Sheriff, ſhall, after the Publication of this Act, in the Execution of any Writ or Writs, for the electing Repreſentatives for the ſaid County, to ſerve in this or any future General Aſſembly, act contrary to the Directions, and true Intent and Meaning of this Act, they ſhall reſpectively forfeit the Sum of *Fifty Pounds*; to be recovered in any Court of Record within this Colony, in Manner aforeſaid, by any Perſon aggrieved; and the ſaid Election ſo made, contrary to the Directions and true Intent and Meaning of this Act, ſhall be null and void to all Intents, Conſtructions and Purpoſes whatſoever.

CHAP. DCCCLXVI.

An ACT *to fix and aſcertain the Places from whence the Milage Fees of the reſpective Sheriffs of the Counties of* Weſtcheſter *and* Orange, *ſhall be computed.*

Paſs'd the 8th of April, 1748.

Preamble.

WHEREAS it has been uſual for the ſeveral Sheriffs of the Counties of *Weſtcheſter* and *Orange*, to compute their Milage on the Service of Writs from their reſpective Places of Abode, altho' many of them lived very remote from the Center of the County; which has greatly increaſed the Charge for Milage, in the Service of Writs, on ſuch Perſons as live at a Diſtance from the Habitation of the ſaid Sheriffs: To remedy which for the Future;

Milage in *Weſtcheſter* County, to be computed from *White Plains*.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That from and after the Publication of this Act, the High-Sheriff of the County of *Weſtcheſter*, for the Time being, ſhall compute his Milage, for the Service of all Writs and Proceſs hereafter by him ſerved, and ſubject to the Payment of Milage, from the Place where the Meeting-Houſe now ſtands in the *White Plains*, which is deemed to be near the Center of the ſaid County, and from no other Place whatſoever; any Law, Ordinance, Uſage or Cuſtom, to the contrary notwithſtanding.

The Places from whence the Milage in *Orange* County is to be computed.

II. AND WHEREAS the County of *Orange* is very extenſive in Length, and by Reaſon of a Ridge of Mountains lying a-croſs the ſame, and for the better Accommodation of the Inhabitants, it was found neceſſary to have two Court-Houſes, the One at *Goſhen*, on the North, and the other at *Orange* Town, on the South Side thereof: Yet by the Sheriff's having his Reſidence ſometimes at the one, and ſometimes at the other extreme End of the ſaid County, the Computation of his Fees for Milage, in the Service of Writs, hath hitherto been made from the Place of the Sheriff's Abode; which hath been found to be very inconvenient and burthenſome to the Parties concerned: For Remedy whereof for the Future; **Be it further Enacted** *by the Authority aforeſaid*, That from and after the Publication of this Act, the Sheriff's Fees for Milage in the County of *Orange*, for the Service of all Writs and Proceſs, ſerved on any Inhabitant on the North Side of the ſaid Mountains, called the *Highlands*, ſhall be computed from the Court-Houſe in the Townſhip of *Goſhen* aforeſaid; and the Milage for the Service of all Writs and Proceſs ſerved on the Inhabitants on the South Side of the ſaid *Highlands*, ſhall be computed from the Court Houſe in *Orange* Town; any Law, Ordinance, Uſage, or Cuſtom, to the contrary notwithſtanding.

CHAP.

21ſt *GEORGE* II. A. D. 1748.

CHAP. DCCCLXVIII.

Expired in part, 1ſt of *September*, 1748. the Reſt is Obſolete.

An ACT *for the Payment of the Salaries, Services, and Contingencies therein mentioned, until the firſt Day of* September, *One Thouſand ſeven Hundred and Forty-eight; and for making further Proviſion for the Pay and Subſiſtence of the Forces, poſted on the Northern Frontiers of this Colony.*

Paſs'd the 8th of April, 1748.

22d *GEORGE* II. A. D. 1748.

CHAP. DCCCLXIX.

Expired 1ſt of *July*, 1749.

An ACT *to prevent buying from, or exchanging with, any of the Six Nations of Indians, or from any other Indians in Alliance with them, any Arms, Ammunition, Cloathing, or any other Preſents they may receive by his Majeſty's Order.*

Paſs'd the 1ſt of July, 1748.

CHAP. DCCCLXX.

See Chap. 860. Obſolete.

An ACT *to revive an Act, entitled,* An *Act* for raiſing the Sum of *Eighteen Hundred Pounds*, by a Publick Lottery, for a further Proviſion toward founding a College for the Advancement of Learning, within this Colony; *with an Addition thereto.*

Paſs'd the 28th of October, 1748.

CHAP. DCCCLXXI.

See Chap. 857. Continued by Chap. 876.

An ACT *further to continue an Act, entitled,* An *Act* for and towards ſupporting the Government of this Colony, by granting to his Majeſty the Duties therein mentioned, from the firſt Day of *December*, One Thouſand ſeven Hundred and Forty, to the firſt Day of *December*, One Thouſand ſeven Hundred and Forty-one.

Paſs'd the 28th of October, 1748.

CHAP. DCCCLXXII.

Obſolete.

An ACT *for the Payment of the Forces on the Northern Frontiers.*

Paſs'd the 28th of October, 1748.

CHAP. DCCCLXXIII.

See Chap. 838. Continued by Chap. 895.

An ACT *further to continue an Act, entitled,* An *Act* to ſupport the Garriſon and Trading-Houſe at *Oſwego*; *with ſome Additions thereto.*

Paſs'd the 12th of November, 1748.

CHAP. DCCCLXXIV.

Expired 1ſt of *January*, 1749.

An ACT *to let to farm the Exciſe on Strong Liquors retailed in this Colony, from the firſt Day of* November *next, to the firſt Day of* January, *which will be in the Year of our Lord One Thouſand ſeven Hundred and Forty-nine.*

Paſs'd the 12th of November, 1748.

CHAP.

22d *GEORGE* II. A. D. 1748.

CHAP. DCCCLXXV.

See Chap. 736.

An ACT *to continue an Act, entitled,* An *Act* to encourage the deſtroying of Wolves and Panthers in the County of *Ulſter*, *Dutcheſs* and *Orange*, paſs'd in the ſixteenth Year of his Majeſty's Reign; *with an Addition thereto.*

Paſs'd the 12th of November, 1748.

Preamble. WHEREAS the Reward allowed and given, for the Deſtroying of Wolves and Panthers, in the Counties of *Ulſter*, *Dutcheſs* and *Orange*, by the above recited Act, hath by Experience been found to anſwer the good Ends and Purpoſes thereby intended;

Chap. 736, continued to 1ſt of *January*, 1754. I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the above mentioned Act, entitled, *An* Act *to encourage the Deſtroying of Wolves and Panthers in the Counties of* Ulſter, Dutcheſs *and* Orange, and every Article, Clauſe and Matter therein contained, ſhall, from the firſt Day of *November* next, be, remain and continue, in full Force, to all Intents, Conſtructions and Purpoſes whatſoever, until the firſt Day of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-four.

Reward for killing a Wolf, 12*ſ.* A Wolf's Whelp, 6*ſ.* II. **And be it Enacted** *by the Authority aforeſaid*, That from and after the Publication of this Act, the Reward for taking, killing and deſtroying of Wolves and Panthers in the County of *Orange* aforeſaid, ſhall be as followeth, *viz.* For taking, killing and deſtroying, a full grown Wolf or Panther, the Sum of *Twelve Shillings*, and no more; and for every Whelp, the Sum of *Six Shillings*, and no more; to be raiſed, aſſeſſed, levied and paid, in the ſame Manner, and under the ſame Regulations, as in the aforeſaid Act is ordered and directed; any Thing in this, or the aforeſaid Act, to the contrary hereof, in any wiſe notwithſtanding.

24th *GEORGE* II. A. D. 1750.

The Nineteenth ASSEMBLY.

SECOND SESSION.

CHAP. DCCCLXXVI.

Expired the firſt of January, 1751, *but continued one Year longer, by an Act paſſed the* 25*th* November, 1751, *after the Time limited for reviſing this Body of the Laws.*

An ACT *to revive two Acts therein mentioned, for and towards ſupporting the Government of this Colony.*

Paſs'd the 11th of September, 1750.

CHAP. DCCCLXXVII.

Expired the firſt of January, 1751, *but another Act was made for this Purpoſe, the* 25*th* November, 1751, *which is not printed for the Reaſon in the laſt Note.*

An ACT *to let to farm the Exciſe on Strong Liquors retailed in this Colony, from the ſecond Day of* October *next, to the firſt Day of* January, *which will be in the Year of our Lord One Thouſand ſeven Hundred and Fifty-one.*

Paſs'd the 12th of October, 1750.

CHAP.

24th *GEORGE* II. A. D. 1750.

CHAP. DCCCLXXVIII.

Private.

An ACT *for naturalizing* Jochom Melchior Magens.

Paſs'd the 12th of October, 1750.

CHAP. DCCCLXXIX.

An ACT *to revive an Act, entitled,* An *Act* to provide able Pilots, and to eſtabliſh their Pilotage between *Sandy-Hook*, and the Port of *New-York*.

See Chap. 859.

Paſs'd the 24th of November, 1750.

WHEREAS an Act, entitled, *An* Act *to provide able Pilots, and to eſtabliſh their Pilotage between* Sandy-Hook, *and the Port of* New-York, paſſed in the fifth Year of his preſent Majeſty's Reign, is expired; and foraſmuch as the ſaid Act is neceſſary for the Safety and Security of Navigation, to be revived; Preamble.

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the above mentioned Act, entitled, *An* Act *to provide able Pilots, and to eſtabliſh their Pilotage between* Sandy-Hook, *and the Port of* New-York, ſhall be, and hereby is revived, and every Clauſe, Article and Thing therein contained, to be and remain in full Force and Virtue, to all Intents, Conſtructions and Purpoſes whatſoever, from the Publication hereof, to the firſt Day of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-ſeven. Pilotage Act continued.

CHAP. DCCCLXXX.

An ACT *further to continue an Act*, to lay a Duty of Tonnage on the Veſſels, and for the Time therein mentioned; *with an Explanation and Addition thereto.*

See Chap. 622.

Paſs'd the 24th of November, 1750.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That one Act, entitled, *An* Act *to lay a Duty of Tonnage on the Veſſels, and for the Time therein mentioned*, paſſed in the eighth Year of his Majeſty's Reign, and which by ſeveral ſubſequent Acts, has been continued until the firſt Day of *July* which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-one; ſhall be, and hereby is further continued, and every Clauſe, Matter and Thing therein contained, *Enacted* to be and remain of Force, to all Intents, Conſtructions and Purpoſes whatſoever, from the ſaid firſt Day of *July* next, until the firſt Day of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Sixty. Tonnage Act, Chap. 611, continued.

II. AND WHEREAS many Diſputes and Controverſies have ariſen, and may hereafter ariſe, reſpecting the true Intent and Meaning of all Coaſting Veſſels exempted from the Duty of Tonnage, impoſed by the aforeſaid Act; for preventing whereof for the Future; **Be it Enacted** *by the Authority aforeſaid*, That every Coaſting Veſſel which ſhall hereafter be exempted from the Duty of Tonnage in the ſaid Act impoſed, ſhall not exceed the Burthen of *Eighty Tons*, Carpenter's Tonnage, and ſhall be wholly owned by Perſons dwelling and reſiding within the Limits of *Cape Henlopen* Weſtward and Southward, and

What Veſſels ſhall be deemed coaſting Veſſels.

24th *GEORGE* II. A. D. 1750.

and *New-Hampſhire* Eaſtward, both incluſive; and that the ſame ſhall be actually loaded at, and come from ſome Port or Harbour within the Limits aforeſaid, and ſhall return from hence to the Place from whence ſhe came, or to ſome other Place within the Limits aforeſaid, and there unlade whatever Goods or Merchandizes ſhe took in, in this Colony.

The Maſters of Veſſels, if required, to take an Oath before the Treaſurer:

III. **And be it Enacted** *by the Authority aforeſaid*, That every Maſter of ſuch Veſſel, ſhall, if required, make Oath before the Treaſurer of this Colony, who is hereby impowered to adminiſter the ſame, *That according to the beſt of his Knowledge and Belief, ſuch Veſſel is a Coaſting Veſſel, within the true Intent and Meaning of this Act, and that he has no Intention to evade the paying the Duty of Tonnage impoſed by the aforeſaid Act*; and in Caſe ſuch Maſter ſhall refuſe to take ſuch Oath as aforeſaid, he ſhall be liable to pay the Duty of Tonnage, and Penalties impoſed in the aforeſaid Act; any Thing therein contained to the contrary notwithſtanding.

And to make Report of their Arrival, &c.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That every Maſter, or Commander of any Veſſel, ſubject to the aforeſaid Duty of Tonnage, who ſhall not, within Forty-eight Hours after his Arrival into the Port of *New-York*, make Report to the Treaſurer of this Colony, of his Arrival, and of the Burthen of his Veſſel; ſhall forfeit and pay for every ſuch Neglect and Omiſſion, the Sum of *Fifty Pounds*; to be recovered by the Treaſurer of this Colony, with full Coſts of Suit, in any of his Majeſty's Courts of Record in this Colony; and the ſaid Money ſo recovered, ſhall by the ſaid Treaſurer be applied, together with all the Money ariſing by the aforeſaid Duty of Tonnage, for and towards ſinking and cancelling the Bills of Credit of this Colony, ſtruck and iſſued on the Credit of the aforeſaid Duty of Tonnage.

Diſpoſal of Surplus Money.

V. **And be it further Enacted** *by the Authority aforeſaid*, That in Caſe the Produce of the ſaid Duty of Tonnage, ſhould exceed the Sum required to ſink and cancel the Bills of Credit ſtruck and iſſued on the Credit of the ſaid Fund, all ſuch Surplus ſhall remain in the Treaſury, until diſpoſed of by Act or Acts hereafter to be paſſed for that Purpoſe.

Bills of Credit ſtruck on the tonnage Act, to continue current.

VI. **And be it further Enacted** *by the Authority aforeſaid*, That all and every the Bills of Credit of this Colony, made, ſtruck and iſſued on the Credit of the aforeſaid Duty of Tonnage, and which are yet un-cancelled, ſhall be, and hereby are *Enacted*, to remain current in all Payments, until the ſaid firſt Day of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Sixty: And all Perſons refuſing to accept the ſame in Payment, or preſuming to counterfeit or alter the ſame, ſo as to appear of a greater Value than they were at firſt iſſued for, ſhall incur the ſame Pains and Penalties, as in ſuch Caſes are *Provided* and *Enacted* by the Act by Virtue of which the ſame were ſtruck and iſſued.

CHAP. DCCCLXXXI.

An ACT *to reſtrain Tavern-keepers and Inn-holders from ſelling Strong Liquors to Servants and Apprentices; and from giving large Credit to others.*

Paſs'd the 24th of November, 1750.

Preamble.

WHEREAS the ſelling of Strong Liquors to Servants and Apprentices, and the giving of large Credit to others, has, by Experience, been found to be very prejudicial to the Inhabitants of this Colony;

I. Be

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That from and after the firſt Day of *December* next, no Tavern-keeper or Inn-holder within this Colony, ſhall ſell any Strong Liquors to any Servant or Apprentice, knowing him or her to be ſuch, without the Conſent of his or her Maſter or Miſtreſs, on the Penalty of *Forty Shillings*, over and above the Loſs and Forfeiture of any Debt, that the ſaid Servant or Apprentice ſhall or may contract, for any ſuch Liquors, with any ſuch Tavern-keeper or Inn-holder; the ſaid Penalty to be recovered by any Maſter or Miſtreſs that ſhall ſue for the ſame, before any one of his Majeſty's Juſtices of the Peace, for the City and County where ſuch Offence ſhall happen to be committed, who is hereby impowered and required to hear and determine the ſame.

Tavern-keepers not to ſell Strong Liquors to Servants or Apprentices, under the Penalty of 40*ſ.*

II. **And be it further Enacted** *by the Authority aforeſaid*, That if any ſuch Tavern-keeper or Inn-holder, or any other Perſon or Perſons, ſhall take or receive, directly or indirectly, from any ſuch Servant or Apprentice, any Cloathing, or any other Goods, Chattels, Wares, or Merchandizes, in Payment for any ſuch Strong Liquors, or in Pawn or Pledge, to ſecure any ſuch Payment, and thereof be convicted, by the Oath of any one credible Witneſs, or in ſuch other Manner as this Act ſhall direct; he, ſhe, or they, ſo offending, over and above the Penalty aforeſaid, ſhall reſtore unto the Maſter or Miſtreſs of ſuch Servant or Apprentice, all ſuch Cloathing, or other Goods, Chattels, Wares, or Merchandizes, which he or they have ſo taken or received, from any ſuch Servant or Apprentice, and that within three Days after ſuch Conviction, or forfeit unto the Maſter or Miſtreſs of any ſuch Servant or Apprentice, double the Value of all ſuch Cloathing, or other Goods, Chattels, Wares, or Merchandizes, which he, ſhe, or they, have ſo taken or received, as aforeſaid; to be recovered as by this Act ſhall be directed.

Nor take Cloaths, or Pawns of them for Payment.

III. AND whereas it is the common Practice of ſuch Tavern-keepers and Inn-holders, to ſell their Strong Liquors to Servants and Apprentices, and to take and receive from them, Cloathing, and other Goods, Chattels, Wares, and Merchandizes, in Payment for ſuch Liquors, or in Pawn or Pledge, to ſecure ſuch Payment, in ſo ſecret a Manner, that no Perſon is privy to it but the ſaid Tavern-keeper or Inn-holder, and ſuch Servant or Apprentice; which renders it very difficult for the Maſters or Miſtreſſes of ſuch Servants or Apprentices, to convict any Perſon of the Offences aforeſaid; **Be it therefore Enacted** *by the Authority aforeſaid*, That if any Maſter or Miſtreſs of ſuch Servant or Apprentice, ſhall ſuſpect that any Tavern-keeper or Inn-holder hath, contrary to the Intent and Meaning of this Act, ſold any Strong Liquors to his or her Servant or Apprentice, or taken or received any Cloathing, or other Goods, Chattels, Wares, or Merchandizes, from the ſaid Servant or Apprentice, in Payment for ſuch Liquors, or in Pawn or Pledge, to ſecure ſuch Payment; then, and in ſuch Caſe, the Maſter or Miſtreſs of any ſuch Servant or Apprentice, ſhall and may make his or her Complaint, to any one of his Majeſty's Juſtices of the Peace, of ſuch City or County where the Perſon complained of ſhall happen to reſide; who, within three Days after any ſuch Complaint to him made, ſhall ſummon the ſaid Party complained of, to appear before him, at ſuch Time and Place as he ſhall direct; at which Time the Complainant ſhall alſo attend, and give the Reaſons of his Suſpicion, and alſo deliver an Account in Writing, of the particular Things, or Kinds of Goods, which he or ſhe ſuſpects to have been taken and received, from his or her Servant or Apprentice; and, upon Oath, declare the Value of ſuch Goods, to the beſt of his or her Judgment; in which Caſe, if the Defendant will not then take an Oath, *That he or ſhe* (as the Caſe may happen) *hath neither directly nor indirectly, by him or herſelf, nor by*

Maſters ſuſpecting Strong Liquors to be ſold to their Servants or Apprentices, may complain to a Magiſtrate,

Who ſhall examine the Matter,

And adminiſter an Oath to the ſuſpected Tavern-keeper, to purge himſelf from the Suſpicion.

24th *GEORGE* II. A. D. 1750.

by any other Perſon for him or her, ſold to the ſaid Servant or Apprentice of the Complainant, any Strong Liquors, nor knowingly to any other Perſon, for the ſaid Servant or Apprentice; nor taken or received any Cloathing, or any other Goods, Chattels, Wares, or Merchandizes, in Payment for ſuch Liquors, or in Pawn or Pledge, to ſecure ſuch Payment, from the Servant or Apprentice of the Complainant, nor knowingly from any other Perſon, on Account of the ſaid Servant or Apprentice; that then the Defendant ſhall be judged, deemed, and eſteemed convicted of the ſaid Offence; and the ſaid Juſtice ſhall, within ſix Days, and not under four Days after ſuch Conviction, iſſue his Precept of Execution, to the Conſtable of the Town, Manor, or Precinct, where the Offender ſhall happen to be, to levy the aforeſaid Penalty, and double the Value of the Goods, as aforeſaid, with the Coſts of Suit, on the Goods and Chattels of the Offender, to the Uſe of the Complainant in the ſaid Suit, unleſs the Penalty be paid, and the Goods reſtored before that Time: And if the Offender has no Goods or Chattels, whereon the ſaid Penalties may be levied, then the ſaid Offender ſhall be committed to Goal for the Space of twenty Days, unleſs he or ſhe ſhall pay the ſaid Penalty, and Charges accruing thereon, before that Time. But if the ſaid Defendant will take the ſaid Oath, then he or ſhe (as the Caſe may happen) ſhall be diſcharged, and the Plaintiff ſhall pay all the Coſt: And if afterwards it appear, that any Perſon or Perſons who have taken the ſaid Oath, have ſworn falſely, ſuch Perſon or Perſons ſhall incur the like Pains and Penalties, as thoſe who are found guilty of wilful Perjury, and be proſecuted accordingly.

If he will not take the Oath, he ſhall be deemed to be convicted; and Execution ſhall iſſue.

If the Defendant purge himſelf, the Plaintiff ſhall pay the Coſt.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That if any Tavern-keeper or Inn-holder within this Colony, ſhall, after the firſt Day of *December* next, preſume to truſt or credit any Perſon or Perſons, other than Travellers, more or above the Sum of *Six Shillings*, current Money of this Colony; he, ſhe, or they, ſo truſting or crediting any Perſon or Perſons, more than the Sum of *Six Shillings*, as aforeſaid, for any Sorts of Strong Liquors, or other Tavern-Expences, ſhall loſe the Debt, and thereby be diſabled from ever recovering the ſaid Debt, or any Part thereof: And if any Tavern-keeper or Inn-holder, ſhall preſume to ſue for any ſuch Debt above the Sum of *Six Shillings*, contrary to the true Intent and Meaning of this Act, every ſuch Action and Suit ſhall abate, and the Perſon ſued, ſhall and may plead this Act in Bar; and the Plaintiff in ſuch Suit, ſhall become Non-ſuit, and pay double Coſt.

Tavern-keeper not to truſt any but Travellers, above *ſix Shillings*, or loſe his Action, and pay double Coſts.

V. **And be it further Enacted** *by the Authority aforeſaid*, That if any Tavern-keeper or Inn-holder, ſhall take or get from any Perſon truſted as aforeſaid, any Obligation, Bill, or other Security, for any Sum above the Sum of *Six Shillings*, under Pretence that it is for other Goods, and thereof be convicted; he, ſhe, or they, ſo offending, ſhall forfeit double the Sum of ſuch Obligation ſo taken; the one Half to the Poor of the Pariſh where the Forfeiture ſhall ariſe; the other Half to any Perſon who ſhall ſue for the ſame, in any Court of Record within this Colony.

Penalty for converting Tavern Debts above 6 *ſ.* into Specialties, *&c.*

VI. **And be it further Enacted** *by the Authority aforeſaid*, That if any Tavern-keeper or Inn-holder, ſhall ſue any Perſon or Perſons, for any Sum of Money, not exceeding the Sum of *Six Shillings*, the ſaid Perſon, ſo ſuing, ſhall, upon bringing ſuch Suit, take an Oath, *That the Sum ſo by him or her ſued for, is the whole and intire Debt due to him or her, from the Defendant, at that Time*; and the Plaintiff ſhall be thereby diſabled from recovering any other Debt, contracted by the ſaid Defendant with the ſaid Plaintiff, before that Time, for Strong Liquors, or any other Tavern-Expences, be the ſame by Specialty, or otherwiſe; any Law, Uſage, or Cuſtom to the contrary hereof notwithſtanding.

Tavern-keepers ſuing for Debts of 6 *ſ.* and under, to ſwear the Sum ſued for to be the whole Debt.

CHAP.

24th *GEORGE* II. A. D. 1750.

CHAP. DCCCLXXXII.

See Chap. 681.

An ACT *to continue an Act, entitled,* An *Act* for Encouragement of Whaling.

Paſs'd the 24th of November, 1750.

Preamble.

WHEREAS the Act, entitled, *An* Act *for Encouragement of Whaling*, paſſed in the Seventh Year of the Reign of Queen ANNE, and by ſeveral ſubſequent Acts continued until the firſt of *December* next, will then expire; and the ſame being found beneficial;

Whaling Act continued.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the aforeſaid Act, entitled, *An* Act *for Encouragement of Whaling*, ſhall be, and hereby is continued, and every Article, Matter, Clauſe and Thing therein contained, *Enacted* to be, remain and continue, in full Force and Virtue, after the ſaid firſt Day of *December* next, to all Intents, Conſtructions and Purpoſes whatſoever.

CHAP. DCCCLXXXIII.

See Chap. 737.

An ACT *to continue an Act, entitled,* An *Act* to prevent the Penning and Folding of Sheep and Neat Cattle feeding on *Hampſtead-Plains.*

Paſs'd the 24th of November, 1750.

Chap. 599. continued.

WHEREAS an Act, entitled, *An* Act *to prevent the Penning and Folding of Sheep and Neat Cattle feeding on* Hampſtead-Plains, paſſed in the Seventh Year of his preſent Majeſty's Reign, expired by its own Limitation; and by one Act paſſed in the Sixteenth Year of his preſent Majeſty's Reign, revived, and enacted to continue of Force, until the firſt Day of *December* next, will then expire; and the ſaid Act having been found beneficial;

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the ſaid above mentioned Act, entitled, *An* Act *to prevent the Penning and Folding of Sheep and Neat Cattle feeding on* Hampſtead-Plains, ſhall be, and hereby is continued, and every Clauſe, Article, Matter and Thing therein contained, *Enacted* to be of full Force and Virtue, to all Intents, Conſtructions and Purpoſes whatſoever, from the ſaid firſt Day of *December* next, until the firſt Day of *December*, which will be in the Year of our Lord One Thouſand Seven Hundred and Sixty.

CHAP. DCCCLXXXIV.

See Chap. 753. Expired 1ſt of *January*, 1751; *but* provided *for by an Act paſſed 25th* November 1751, *after the Paſſing of* Chap. 907, *for reviſing the Laws.*

An ACT *to continue an Act, entitled,* An *Act* for the better clearing, and further laying out publick High-Roads in the County of *Ulſter.*

Paſs'd the 24th of November, 1750.

24th *GEORGE* II. A. D. 1750.

CHAP. DCCCLXXXV.

An ACT *for the better clearing, regulating, and further laying out publick High Roads in the City and County of* Albany.

Paſs'd the 24th of November, 1750.

Preamble.

ALTHO' all or moſt of the Publick High-ways are already laid out and aſcertained in the City and County of *Albany*, it may nevertheleſs be neceſſary to lay out ſome other High-Roads in the ſaid City and County, for the Conveniency of Carriages and Travellers:

Former Acts relating to High-ways in *Albany*, repealed;

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and the General, Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That all † Acts relating to the clearing, and further or better laying out of High-ways, ſo far as they relate to the City and County of *Albany*, ſhall be, and hereby are repealed, and made null and void to all Intents, Conſtructions and Purpoſes whatſoever; and that from and after the Publication, and during the Continuance of this Act, the Perſons herein after named, ſhall be, and hereby are appointed Commiſſioners, to regulate High-ways, and to lay out ſuch other publick Roads, as may be ſtill neceſſary within the ſaid City and County; and they, and each of them, are hereby fully authoriſed and impowered, to put in Execution the ſeveral Services intended by this Act, in ſuch Towns, Manors and Places only, for which they ſhall be reſpectively named and appointed, *That is to ſay*;

† Chap. 757.

And new Commiſſioners appointed.

For the Manor of *Livingſton*, from the Southermoſt Bounds thereof, unto the Bounds of *Claverack*, in the ſaid County, *Robert Livingſton*, jun. *Lendert Conyn*, and *Dirk Ten Brook*.

For *Claverack*, from the Southermoſt Bounds thereof, to the Bounds of *Kinderhook*, *John Van Renſelaer*, *Henry Van Renſelaer*, and *Caſparus Conyn*.

For *Kinderhook*, in the ſaid County, from the Southermoſt Bounds thereof, through the Woods to *Green-Buſh*, including all the Inhabitants along the Road, although they belong to the Manor of *Renſelaerwyck*; *Cornelius Van Schaick*, *Tobias Van Burren*, and *Barrent Van Burren*.

For the Eaſt Side of the Manor of *Renſelaerwyck*, to and from the Southermoſt Inhabitants of *Schotack*, to *Green-Buſh* aforeſaid, along the River Side; *Jacobus Van Renſelaer*, *Hendrick Beekman*, and *Jacob Schermerhoren*.

For *Schagkook*, to the Houſe of *Cornelius Van Nes*, at the *Half Moon*; *Johannes De Wandelaer*, *Peter Beneway*, and *Harme Knickerbacker*.

For *Saraghtoga*, on the Weſt Side of the River, to the Houſe of *Jacob Fort*; *Waldron Clut*, *Gerrit De Ridder*, and *Killain De Ridder*.

From the *Half-Moon*, and the North Part of the Manor of *Renſelaerwyck*, to the City of *Albany*; *Gurt Van Schonhove*, *Philip Schuyler*, and *Wynant Van Denbergh*.

From *Sayer's-Creek*, being the Southermoſt Bounds of the County of *Albany*, on the Weſt Side of *Hudſon's-River*, to the Southermoſt Bounds of the Manor of *Renſelaerwyck*; *Jacob Ten Brook*, *Benjamin De Bois*, and *Petrus Van Beregon*.

From the Southermoſt Bounds of the Manor of *Renſelaerwyck*, on the Weſt Side of *Hudſon's-River*, to the Bounds of the City of *Albany*; *Renſelaer Nicol*, *John Barcklay*, and *Garret Van Denbergh*.

For the Road which leads from the City of *Albany* to *Schenectady*, unto the *Firſt Sandy Hill*, being about two Miles from the ſaid City; the Mayor, Recorder and Aldermen of the ſaid City, for the Time being.

From

From the Townſhip of *Schenectady*, as far as the ſaid Townſhip extends, and the Roads which lead to *Albany*, to the ſaid *Firſt Sandy Hill*; *Jacob Glen*, *Jacobus Van Slick*, *Jan Barentſe Wimp*, *Johannes Arentſe Bradt*, and *Joſeph Yetts*, jun.

From *Canniſtigeone*, to the Mills at the Manor-Houſe of *Stephen Van Renſelaer*, deceaſed; *Samuel Cryger*, *Cornelius Tymeſe*, and *Nicholas Viſſor*.

From *Niſkutha*, to the North Side of *Norman's-Kill*; *Johannes Slyngerlandt*, *Garret Van Allen*, and *Harman Van Derſee*.

From *Schoherie* to the *Schenectady* Road; *Johannes Lawyer*, *Jacobus Van Dyck*, and *Johannes Scheffer*, jun.

From *Towerjone*, being the Weſtermoſt Bounds of the Townſhip of *Schenectady*, ſo along both Sides of the River to *Kagknawage-Creek*; *William Johnſon*, *Harma Viſſor*, and *Barrant Vroman*.

From the ſaid *Kagknawage-Creek*, for both Sides of the River, ſo far as the Chriſtian Settlements now are, or hereafter ſhall be ſettled; *Johan Jurygh Haſt*, jun. *Markus Petrie*, *Hendrick Felling*, *Harmanus Van Slick*, and *Cornelius Smith*,

From a Place called *Stone Rabie*, to a Creek called *Oanidaes Creek*; *William Brower*, *Nicholas Kapernol*, and *Sufarinus Tyger*.

From *Hoſſick* to the Houſe of *Jacob Vander Hyden*; *John Batiſt Van Renſelaer*, *Cornelius Huggh*, and *Samuel Burns*.

From *Sinckhaick* to the Farm of *Dirck Van der Heyden*; *Garret Van Nes*, jun. *Evert Wendell*, and *Johannes Becker*.

Which ſaid Commiſſioners in each Diſtrict, or the major Part of them, ſhall have full Power and Authority, to apportion, lay out, and fix, how far each Precinct or Neighbourhood, ſhall repair and amend the ſaid High-ways, where they are to begin, and where to leave off.

II. **And be it Enacted** *by the Authority aforeſaid*, That the Commiſſioners, or the major Part of them, in the reſpective Places, for which they are named and appointed Commiſſioners, are hereby impowered and authoriſed to regulate the Roads already laid out, and lay out ſuch other publick Roads in the ſeveral Places for which they are appointed Commiſſioners, as to them, or the major Part of them, ſhall ſeem neceſſary and convenient; and if Need be, to take a Review of the Roads already laid out; and ſuch of them as appear to be really inconvenient, the ſaid Commiſſioners ſhall and may alter the ſame; provided all the Commiſſioners appointed for the Place, judge it abſolutely neceſſary; and to lay out ſuch other publick Ways and Roads as they, or the major Part of them, ſhall think moſt convenient, as well for Travellers as for the Inhabitants of the next adjacent Towns, Villages, or Neighbourhoods. *Provided alſo*, That Nothing in this Act contained, ſhall extend, or be conſtrued to impower the Commiſſioners aforeſaid, to alter any Road that is already commodious, or to lay the ſame through incloſed or improved Lands, without either the Conſent of the Owners thereof, or paying to them the true Value of the Lands, ſo laid into an High-way: And if any Diſpute ſhall ariſe by that Means, the ſame ſhall be determined, and the true Value ſet and appraiſed, by two Juſtices of the Peace, and by the Oaths of twelve of the principal Freeholders of the Neighbourhood, not having any Intereſt in the Lands about which ſuch a Diſpute may ariſe; the ſaid Freeholders to be ſummoned by any one of the Conſtables of each reſpective Town, Manor, or Precinct, by Virtue of a Warrant to be iſſued by the ſaid two Juſtices, for that Purpoſe.

The Commiſſioners may lay out or alter any Roads.

III. And

24th *GEORGE* II. A. D. 1750.

III. **And be it further Enacted** *by the Authority aforeſaid*, That the Commiſſioners reſpectively, of every Town, Manor, or Precinct, or any one of them, are hereby impowered and directed, to order ſuch a Number of the Inhabitants of each reſpective Town, Manor, or Precinct, aforeſaid, with their Sleds and Horſes, as they, the ſaid Commiſſioners, or any one of them, ſhall think ſufficient and proper, to break up the Roads where deep Snows happen to fall; and if any Perſon or Perſons, being ordered as aforeſaid, ſhall refuſe to break up the ſaid Road, ſuch Perſon or Perſons, ſhall forfeit the Sum of *Nine Shillings*, for every Day they ſhall ſo neglect or refuſe ſaid Service; to be levied by the Conſtable, in each Town, Manor, or Precinct, by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant from any one of the Commiſſioners, for the reſpective Places for which they are hereby appointed, returning the Overplus of ſuch Sale, to the Owner or Owners, if any there be, the Conſtable to be firſt paid for his Pains and Trouble out of the Diſtreſs, as is common in other Caſes; and the ſaid Forfeiture of *Nine Shillings*, ſhall be applied for repairing the publick Roads or High-ways, within the Town, Manor, or Precinct, where ſuch Forfeiture ſhall ariſe.

Commiſſioners may order Perſons with their Sleds, &c. to break up a Road in Snow.

IV. **And be it Enacted** *by the Authority aforeſaid*, That all Waggons, Carts or other Carriage, which ſhall be uſed in any of the High-ways, in the County of *Albany*, ſhall be ſo made, that the Square between the Rutt or Track which they ſhall make, ſhall be from the Outſide of the one Wheel, to the Outſide of the other Wheel, *Four Feet* and *Ten Inches*, *Engliſh* Meaſure, and no more, or no leſs, upon the Penalty of *Twenty Shillings*, current Money of this Colony; to be recovered before any of his Majeſty's Juſtices of the Peace, where the Fault ſhall happen to be committed, at the Suit, and to the Benefit of him or them that ſhall inform and ſue for the ſame.

Size of Carts or Carriages in *Albany*.

V. **And be it further Enacted** *by the ſame Authority*, That if any Perſon or Perſons within the ſaid City and County, do, or hereafter ſhall, without the Conſent of the Commiſſioners, or the major Part of them, for the Town, Manor or Place for which they are by this Act appointed Commiſſioners; alter, ſtop up, or leſſen any High-way or Road that has heretofore been laid out by former Commiſſioners according to Law, or ſhall hereafter be laid out by the Commiſſioners named in this Act; ſuch Perſon ſo offending, contrary to the Meaning of this Act, ſhall, for every ſuch Offence, forfeit the Sum of *Five Pounds*; to be recovered before any Juſtice of the Peace, upon the Oath of any one credible Witneſs, and levied by Warrant from any Juſtice of the Peace, directed to the Conſtable of the Town, Manor or Precinct, where ſuch Offence ſhall be committed, by diſtraining the Goods and Chattels of the Offender; and the ſaid Conſtable, after ſix Days publick Notice given by him, of the Time for Sale of ſaid Diſtreſs, ſhall make Sale thereof, and out of the Produce, pay the ſaid Forfeiture and Charges, and return the Overplus, if any there be, to the Owner or Owners; which ſaid Forfeiture of *Five Pounds*, ſhall be applied by the Surveyors of the High-ways, for and towards repairing the publick Roads or Bridges within the Precinct where ſuch Forfeitures ſhall ariſe.

No Perſon to ſtop up or alter Roads, without Conſent of the Commiſſioners.

VI. **And be it further Enacted** *by the Authority aforeſaid*, That if any common publick Road or High-way, ſhall be laid through any Meadow Ground, or Corn Fields, the Breadth of the ſaid Road ſhall be left to the Diſcretion of the Commiſſioners, or the major Part of them, for the Towns, Manors or Places, where ſuch Road ſhall run as aforeſaid: *Provided*, ſuch Roads do not exceed Twenty Foot.

Breadth of Roads thro' incloſed Lands.

VII. **And**

VII. **And be it further Enacted** *by the ſaid Authority*, That the Inhabitants of the reſpective Towns, Manors or Precincts, by and through which any common publick High-ways or Roads have or ſhall run, or be hereafter aſcertained or laid out, ſhall be, and hereby are obliged, to clear and maintain the ſame, by cutting and ſtubbing up the Bruſh, and lopping off the Limbs of the Trees that hang over the ſaid Roads, the Breadth of two Rods, and pulling up the Stones that can be moved, and to carry them out of the Road, at leaſt the Breadth of one Rod; and ſo often as they, or any of them, ſhall have Notice from any one of the reſpective Commiſſioners, Surveyors, or Overſeers of the High-ways, for the Time being, they ſhall in their Turns, either by themſelves, or by able Slaves or Servants, clear, level, and amend the High-ways, not exceeding ſix Days in the Year, under the Penalty of *Three Shillings*, for each Day every Perſon or Perſons ſhall neglect or refuſe ſuch Service; to be levied by the Conſtable in each Town, Manor or Precinct, by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrants from the Surveyors or Overſeers of the High-ways, or any one of them, for the Time being, in each reſpective Town, Manor or Precinct, where ſuch Offence ſhall be committed, returning the Overplus of ſuch Sale, if any be, to the Owner or Owners, the Conſtable being firſt paid for his Pains and Trouble, out of the Diſtreſs and Sale, as is uſual in other Caſes.

Inhabitants to work upon High-ways when warn'd thereto:

VIII. **Provided always, and it is hereby further Enacted** *by the Authority aforeſaid*, That all Trees ſtanding or lying in any Perſon's Land, through which any common publick High-way is, or ſhall be laid out, be for the proper Uſe of the Owner or Owners of the ſame: But the ſaid Owners ſhall not hinder the Publick from making Uſe of ſo much Timber, which is ſtanding or lying on that Road, as will amend the ſaid High-way, or Bridges, running through that Land.

Trees reſerved to the Owners of Lands thro' which Roads are laid out.

IX. **And be it alſo Enacted** *by the ſame Authority*, That where any High-way, from any Town or Neighbourhood, to any Mills, Meadows, Watering or common Landing-Places, ſhall run through any particular Perſon's Ground, it ſhall and may be lawful for any ſuch Perſon or Perſons, by and with the Approbation of any two Commiſſioners, for ſuch Town, Manor, or Place, to hang good ſwinging Gates on ſuch High-ways, and keep them in Repair at their own Coſts; provided no Road leading unto, or out of any Woods, Plains or Commons, where the Cattle belonging to any Town or Village, uſually paſs through, to or from the Common or feeding Grounds, be clogged or hindred by any ſwinging Gates, as aforeſaid, unleſs by the Conſent of the major Part of the Inhabitants of ſuch Town or Village; and the ſeveral Gates already ſtanding and allowed, may or ſhall be approved and continued, or altered, as the Commiſſioners herein reſpectively appointed, ſhall judge moſt convenient; and the ſame High-way ſhall be amended and maintained by the Inhabitants only, of every Town, Manor, or Precinct, where ſuch Ways may run.

Where Swinging Gates may be hung.

X. **And be it further Enacted** *by the ſame Authority*, That in Caſe any Perſon or Perſons ſhall ſtake or ſhore open any ſuch Gate or Gates, as aforeſaid, or otherwiſe ride over or through any Lands, Meadow-Ground, or Corn-Fields, to the Damage of the Owners thereof; ſuch Perſon or Perſons, ſhall, for every ſuch Offence, forfeit the Sum of *Twenty Shillings*; to be recovered and applied, by the Surveyors of the High-ways, in each reſpective City, Town, Manor, or Precinct, where ſuch Offence ſhall be committed, towards repairing the publick High-ways or Roads, and pay all ſuch Damages, with the Coſts, the Owner of the Soil, or Tenant, ſhall ſuffer or ſuſtain thereby, as ſhall be ordered

Penalty for ſhoring open Gates, or riding through Corn Fields, &c.

24th *GEORGE* II. A. D. 1750.

ordered and awarded by a Juſtice of the Peace, reſiding neareſt to the Place where ſuch Offence ſhall be committed; and the Determination of ſuch Juſtice, ſhall be final and concluſive therein.

A Team to be inſtead of two Men.

XI. **And be it further Enacted** *by the Authority aforeſaid*, That if the Overſeers of the High-ways and Roads, ſhall think fit, and have Occaſion of any Team, Cart, or Waggon, and a Man to manage the ſame, the ſaid Team, Cart, or Waggon ſhall be eſteemed to be in lieu and inſtead of two Days Work of one Man; and the Fine to be proportionable, *that is*, double to the Fine to be impoſed for the Neglect of one Perſon; and every working Man ſhall be obliged to bring ſuch Tools, as Spades, Axes, Crows, Pick-Axes or other Utenſils, as ſhall be directed by the Overſeers of the High-ways.

On the Death or Refuſal of Commiſſioners, others to be appointed.

XII. **And be it further Enacted** *by the ſaid Authority*, That if any of the Commiſſioners herein appointed, ſhall neglect, refuſe, or delay, to put the ſeveral Clauſes in Execution, which are mentioned and expreſſed as their Duty, in this Act, if thereunto required; or ſhall happen to die, or remove out of the Town, Manor, or Places, for which he or they are appointed Commiſſioners; it ſhall and may be lawful for the Juſtices of the Peace, in the Seſſions held for the ſaid County, to appoint in his or their Stead, another Commiſſioner or Commiſſioners, in ſuch Place or Places, where ſuch Refuſal, Neglect, Death, or Removal ſhall ſo happen; and the Commiſſioner or Commiſſioners ſo appointed, ſhall be under the ſame Reſtrictions, and have the ſame Power and Authority, as thoſe named and appointed by this Act.

The Commiſſioners to enter their Proceedings on Record.

XIII. **And be it further Enacted** *by the Authority aforeſaid*, That the Commiſſioners of each reſpective Town, Manor, Place or Places, for which they are reſpectively appointed, ſhall, from Time to Time, during the Continuance of this Act, enter in Writing, all the High-ways or Roads by them laid out, altered, or ſtopt up, and ſign the ſame, by putting their Names thereto, and cauſe the ſame to be entered in the County Records, by the Clerk of the Peace, who is hereby directed and required, to record the ſame; and whatſoever the ſaid Commiſſioners ſhall do, according to the Powers given them in this Act, being ſo entered in the County Records, ſhall be deemed valid and good, to all Intents and Purpoſes whatſoever.

Commiſſioners Allowances.

XIV. **And be it further Enacted** *by the ſame Authority*, That each Commiſſioner appointed, or to be appointed by Virtue of this Act, ſhall have, take and receive a Sum not exceeding *Three Shillings*, each Day, as a Reward for his or their Care and Trouble in laying out and regulating the High-ways, in the reſpective Towns, Manors, and Places, for which they ſeverally are appointed; which ſaid Reward or Wages, ſhall be deftayed by ſuch Perſon or Perſons as ſhall require the Service of ſuch Commiſſioners.

Oyatack Inhabitants to repair the Road to *Hudſon's River*.

XV. **And it is hereby Provided**, That if the Inhabitants of *Oyatack*, who live to the Eaſtward of the Manor of *Livingſton*, ſhall uſe the Road that goes from the Eaſtward Bounds of the ſaid Manor, to the general Landing-Place to *Hudſon's-River*; that they be obliged to help to maintain and keep the ſaid Road in Repair, as the Inhabitants of *Taghanick* are obliged to do.

Surveyors to warn and ſet the Inhabitants to work, when order'd by the Juſtices.

XVI. **And be it further Enacted** *by the Authority aforeſaid*, That upon the Ordering of any one or more of the Juſtices of the Peace, or any one or more of the Commiſſioners within the Town, Manor or Precinct, for which he or they are appointed as aforeſaid; the Surveyors of the Town, Manor or Precinct, ſhall, within eight Days thereafter, warn and ſet to Work

Work the reſpective Inhabitants, to mend and repair the King's Roads and Bridges, which by Law and Cuſtom, they are obliged to repair; and if the Surveyor or Surveyors, ſhall neglect or refuſe, to warn and ſet to Work the Inhabitants as aforeſaid, and ſee the ſaid Bridges and High-ways amended and repaired, ſuch Surveyor or Surveyors, ſhall, for every ſuch Neglect or Refuſal, forfeit and pay a Fine of *Forty Shillings*; to be adjudged by, and recovered before any one Juſtice of the Peace of the ſaid County, upon the Oath of any one Witneſs, or on the View of ſuch Juſtice, or on the View of any one of the Commiſſioners, within his or their Diſtrict, in the common and uſual Method; which Fine ſhall be applied towards repairing the ſaid High-ways or Roads, in ſuch Town, Manor or Precinct, wherein the Fine did ariſe.

XVII. **Provided always, and it is hereby Enacted** *by the Authority aforeſaid*, That where the Inhabitants of a ſmall Neighbourhood or Plantation, ſhall deſire to have publick Roads laid out, the Commiſſioners aforeſaid, ſhall not be allowed to lay out ſuch, and ſo many Roads, as the ſaid Inhabitants may be deſirous to have; but only one publick Way leading from ſuch Neighbourhood, to the neareſt publick or High Road from whence they can travel or tranſport Goods to other Towns, or Landing Places; and where it ſhall be neceſſary to lay out a Road from one Diſtrict, as they are in this Act, joined to another Diſtrict, the Commiſſioners of both Towns, Manors or Places, are to meet, and conſult where ſuch Roads can be laid out in the beſt and ſtreighteſt Manner, and to lay out the ſame accordingly, to the End ſuch Roads may not only correſpond with each other, but be laid and carried on in the moſt convenient and ſhorteſt Manner, the Nature of the Land will allow.

Commiſſioners not to lay out as many Roads as may be deſired.

XVIII. AND WHEREAS the Inhabitants of the Townſhip of *Schenectady*, have by long Experience, found it very prejudicial to make Uſe of but one Road to the City of *Albany*, both with Waggons and Sleds, which cauſes the ſaid Road to be often out of Repair, and makes the Ruts thereof very deep, ſo that its difficult to make Uſe of it in Winter with a Sled; to prevent which, **Be it Enacted** *by the Authority aforeſaid*, That it ſhall and may be lawful for the Commiſſioners appointed for the ſaid Townſhip, or the major Part of them, and they are hereby required and directed, to lay out another Road from the ſaid Townſhip, to the ſaid City of *Albany*, on or before the firſt Day of *December* next; which ſaid Road, ſo laid out, ſhall be made, cleared, mended and kept in Repair, in the ſame Manner as other High-ways and Roads are kept; which Road ſhall not be made Uſe of with any Wheel-Carriage.

A new Road from *Albany* to *Schenectady* to be laid out.

XIX. AND to the End the Good hereby intended, may not be fruſtrated; **Be it further Enacted** *by the ſame Authority*, That if any Perſon or Perſons ſhall preſume to uſe the ſaid Road with a Waggon, or any other Wheel-Carriage, he, ſhe, or they, ſo offending, ſhall forfeit the Sum of *Twenty Shillings*, for every ſuch Offence; to be recovered before any one Juſtice of the Peace in the ſaid County, upon the Oath of one credible Witneſs; which Forfeitures ſhall be applied, one Half to the Repairing the ſaid Road, and the other Half for the Uſe of the Informer. This Act to be in Force from the Time of its Publication, until the firſt Day of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Sixty.

Penalty for uſing ſuch Road with Wheel Carriage, &c.

Continuance of this Act.

24th *GEORGE* II. A. D. 1750.

CHAP. DCCCLXXXVI.

Obſolete.

An ACT *to raiſe a Sum not exceeding* One Hundred and Thirty Pounds, *for finiſhing the Court-Houſe and Goal in the County of* Dutcheſs, *and for defraying ſuch Charges as are already laid out and expended, towards the Building the ſaid Court-Houſe and Goal.*

Paſs'd the 24th of November, 1750.

CHAP. DCCCLXXXVII.

An ACT *for regulating Fences for the ſeveral Cities and Counties within this Colony of* New-York.

Paſs'd the 24th of November, 1750.

Preamble.

WHEREAS the reſpective Cities and Counties within this Colony of *New-York*, are ſo circumſtanced as to have different and diſtinct Ways in the Improvement of Tillage and Paſturage of their Lands, Gardens, Orchards and Meadows; and that it is altogether neceſſary, that the ſaid reſpective Counties, Cities, Towns, Diſtricts and Manors, may be made capable in the Law, to make prudential Rules, Orders and Directions for the making, amending and maintaining their cuſtomary Circular and Partition Fences:

† See Chap. 3.

I. † **Be it therefore Enacted** *by the Governor, Council, and General Aſſembly, and by the Authority of the ſame*, That the Freeholders of every Town, Manor and Precinct, within each City and County within this Colony, are hereby impowered annually, after the Publication of this Act, to meet and aſſemble themſelves together, at ſuch Times and Places, as ſhall be appointed and directed, under the Hands and Seals of any two of his Majeſty's Juſtices of the Peace, or at their annual Meetings; in which Meetings, the ſaid Freeholders are, by this Act, impowered by the Majority of Votes, to make and eſtabliſh ſuch prudential Orders, Rules and Directions, for the making, maintaining and amending of their accuſtomary Partition and Circular Fences for their Lands, Gardens, Orchards and Meadows, as they ſhall judge moſt proper and convenient; and alſo to make ſuch prudential Orders, Rules and Directions, for impounding of all Manner of Cattle or Creatures, as they ſhall judge moſt proper and convenient: Which Orders, Rules and Directions, ſo made as aforeſaid, being entered upon the publick Regiſter of ſuch City, Town, Manor, Precinct, or County, ſhall remain and be of full Force, until the ſeveral and reſpective Freeholders ſhall think fit, by the like Majority of Votes, to alter all or any Part of the aforeſaid Orders, Rules and Directions, ſo made as aforeſaid; which Alteration and Alterations, from Time to Time, being likewiſe entered upon the Regiſter, as aforeſaid, ſhall continue and remain in full Force, until the ſame be new made and altered, as aforeſaid.

Freeholders of every Town, &c. to meet and make Orders relating to Fences, &c.

Which Order being recorded, ſhall be binding.

II. AND WHEREAS the Freeholders and Tenants in Poſſeſſion, in ſome of the Cities and Counties of this Colony, are accuſtomed to make circular Fences, for the ſurrounding of their Lands and Meadows they manure, either in Tillage or Paſturage; by which Means great Quantities of Lands and Meadows are ſurrounded by the ſaid circular Fence; and thoſe who have Lands and Meadows within the ſaid circular Fence, have ſuch their Lands and Meadows ſecur'd by the ſaid Fence, without contributing their Proportion towards paying the Charge of the ſaid Fence: To the End the ſame may

may be remedied for the Future; **Be it further Enacted** *by the ſame Authority*, That if any Lands or Meadows ſhall lie within any circular Fence, except where any Town within this Colony have already agreed to the contrary, the Owner or Poſſeſſor thereof, ſhall, in Proportion to the Quantity of Lands and Meadow they have within the ſaid Fence, pay and contribute to making and maintaining the ſaid Fence: And if any Perſon or Perſons ſhall deny, neglect, or refuſe, to pay, make and maintain, or contribute his or their Proportion to the making the ſaid circular Fence, as aforeſaid; then it ſhall and may be lawful, for any two Juſtices of the Peace of the ſaid County, reſiding near where ſuch Default ſhall happen, upon View of the ſaid Defect, to aſſeſs the Proportion of the ſaid Fence, due and payable, as aforeſaid, and levy the ſame by Warrant under their Hands and Seals, directed to the Conſtable of the Towns, Manors, or Precincts where ſuch Default ſhall happen, upon the Goods and Chattels of him or them, who ſhall ſo have Lands or Meadows within the ſaid circular Fence, and hath not contributed or paid towards making the ſame; to be applied to the making of the ſaid circular Fence, returning the Overplus, if any be, the Charge of Diſtreſs and Sale being firſt deducted.

All Perſons who have Lands within any circular Fence, to contribute towards making ſuch Fence.

III. **Be it further Enacted** *by the Authority aforeſaid*, That where any Perſon or Perſons already have, or hereafter ſhall ſet his or their Fence in the Partition-Line of Lands and Meadows between him and them, or his or their Neighbour or Neighbours; they ſhall make and maintain the Diviſion-Fence equally between them, except any Perſon be willing to let his Land or Meadow lie vacant for common Feeding; and if either of them refuſe or neglect ſo to do, then ſuch Perſon or Perſons, ſo neglecting or refuſing to make and maintain the Diviſion-Fence, ſhall pay all Damages that ſhall accrue to his Neighbour by ſuch Neglect; to be appraiſed by the Viewers of the Fence, or any two of them, who ſhall be firſt duly ſworn, *That they will truly, and without any Favour or Partiality, appraiſe the true and real Value of ſuch Damage, according to the beſt of their Knowledge, Skill and Judgment:* And the ſaid Damage, ſo valued as aforeſaid, ſhall be levied on the Goods and Chattels of the Party or Parties, ſo refuſing, as aforeſaid, with all other Charges accruing by the ſame, by Execution directed to the Conſtable, under the Hand and Seal of one of his Majeſty's Juſtices of the Peace, returning the Overplus, if any there be. And in Caſe the Party, ſo neglecting or refuſing to make his Proportion of the ſaid Partition-Fence, ſhall continue ſuch Neglect or Refuſal, for the Space of four Months after Notice given him to make his Proportion of the ſaid Fence; then, and in ſuch Caſe it ſhall be lawful, for the Party injured and aggrieved thereby, to make all the ſaid Fence at the Expence of the Party ſo neglecting or refuſing; for which ſaid Expence, and Coſt ariſing on the Recovery thereof, he ſhall have the like Remedy as is herein before appointed, in the Caſes of circular Fences; any Thing herein before contained to the contrary notwithſtanding. And in Caſe any Perſon or Perſons, who have made their Proportion of Partition Fences, ſhall afterwards conclude to throw up, his or their ſaid Lands for common Feeding, he, ſhe, or they, ſhall be, and hereby are obliged to give three Months Notice thereof, to the Perſon or Perſons concerned with him, her, or them, in the ſaid Partition-Fence, of ſuch his, her, or their Deſign and Intention. And in Caſe he, ſhe, or they, ſhall neglect giving ſuch Notice, and ſhall remove his, her, or their Fence or Fences, without ſuch Notice, he, ſhe, or they, ſhall be liable to make good all ſuch Damage as the Party injur'd and aggriev'd by ſuch Removal, ſhall ſuſtain thereby.

The Charges of all Partition Fences to be equally borne by Parties concern'd.

If any Perſon refuſe to make his Proportion, after 4 Months Notice, the whole Fence ſhall be made at his Expence.

If any Perſon ſhall throw up his incloſed Lands into common Feeding three Months, Notice muſt be given to all concerned in the Partition Fence, to be taken away.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That the ſeveral and reſpective Freeholders, within each Town, Manor or Precinct, are at the Time of their annual Meetings yearly, and every Year, appointed by this Act, hereby

Overſeers and Viewers of Fences to be annually elected;

24th *GEORGE* II. A. D. 1750.

hereby impowered to make choice of ſo many ſufficient, able and diſcreet Perſons, as they ſhall think neceſſary, to be Viewers, Overſeers and Judges for the enſuing Year, of all and every their reſpective Fences, within each Town, Manor and Precinct, for which they are choſen and elected to be Viewers or Overſeers: And all or any of the Overſeers and Viewers of Fences, ſo choſen as aforeſaid, that ſhall deny or refuſe to perform the Duties and Services by him or them to be done and performed, purſuant to the true Intent and Meaning of this Act; all and every ſuch Perſon or Perſons, ſo denying and refuſing, ſhall forfeit and pay the Sum of *Five Pounds*, current Money of this Colony; to be recovered in the Court of Common-Pleas, in the City or County where ſuch Refuſal or Denial ſhall happen to be made; which ſaid Forfeiture ſhall be applied, to the defraying the publick Charge of the ſaid Cities, Towns, Manors and Precincts, and Counties reſpectively.

And they ſhall act, under the Penalty of £. 5.

V. **And be it further Enacted** *by the Authority aforeſaid*, That it ſhall and may be lawful for the Mayors, Aldermen and Commonalty of the Cities and Counties of *New-York* and *Albany*, and Borough of *Weſtcheſter*, for the Time being, in Common Council convened, to make further Orders, Rules and Directions, for the making, amending and maintaining the Partition Fences between the Freeholders and Tenants in Poſſeſſion of the ſeveral and reſpective Lots, Gardens, Fields and Orchards, within their ſeveral and reſpective Juriſdictions, as they ſhall judge moſt proper and convenient; and to impoſe from Time to Time, ſuch Fines, not exceeding the Sum of *Twenty Shillings*, on the Perſon or Perſons denying, neglecting or refuſing, to obey ſuch Orders, Rules and Directions, ſo to be made by them reſpectively, as they ſhall think convenient.

Places incorporated, impowered to make further Orders, &c. relating to Partition Fences.

VI. **And be it further Enacted** *by the Authority aforeſaid*, That every Town, Manor or Precinct, ſhall have and make a ſufficient Pound or Pounds, at ſuch convenient Place in each reſpective City, Town, Manor or Precincts, as ſhall be ordered and directed by two Juſtices of the Peace of that County; in order to ſecure unruly Cattle or Creatures, till ſuch Time as Satisfaction be made, or ſecured to be made, to the Perſon or Perſons aggrieved: Which Pound or Pounds, are to be made at the Charge of each reſpective Manor or Precinct: And if any Perſon deny, refuſe or neglect to pay their Proportion of the Charge of ſuch Pound or Pounds, as ſhall be aſſeſſed by the choſen Aſſeſſors for that Year, any one Juſtice of the Peace of that County, ſhall iſſue his Warrant to the Conſtable, to diſtrain upon ſuch Perſons Goods and Chattels to ſatisfy the ſame, returning the Overplus (if any there be) to the Owner.

Publick Pounds to be made in the Counties.

VII. **And be it further Enacted** *by the Authority aforeſaid*, That where any of the aforeſaid Towns, Manors or Precincts, have Lands or Meadows, which they uſe in common among them, in Tillage, Paſturage or Mowing, they ſhall be, and hereby are enabled, at ſuch Meetings as aforeſaid, to make ſuch prudential Orders, Rules and Regulations, with reſpect to ſuch of their Lands and Meadows, and to impoſe ſuch Penalties on the Offenders againſt the ſaid Orders, Rules and Regulations, not exceeding *Twenty Shillings* for each Offence, as the Majority of the Freeholders in the ſaid Towns, Manors or Precincts reſpectively, having Right in the ſaid common Lands, ſhall from Time to Time judge neceſſary: Which ſaid Orders, Rules and Regulations, being enter'd on the publick Regiſters of ſuch Towns, Manors or Precincts, ſhall be and remain good and valid, to all Intents, Conſtructions and Purpoſes, until they ſhall be altered or declared void by the Majority of the ſaid Freeholders.

Prudential Orders may be made where Lands lie in common.

VIII. And

VIII. **And be it further Enacted** *by the Authority aforeſaid*, That the Freeholders in the ſaid reſpective Towns, Manors and Precincts, when ſo aſſembled as aforeſaid, ſhall be, and hereby are impowered and enabled, to elect and make choice of one or more Perſon or Perſons, to demand, ſue for and receive all the Penalties and Forfeitures which ſhall be incurr'd by the Breach of the ſaid Orders, Rules and Regulations, within the reſpective Diſtricts for for which they ſhall be ſo choſen: Which ſaid Penalties and Forfeitures ſo recovered, ſhall be applied to ſuch Uſes as the Majority of the ſaid Freeholders, in the ſaid reſpective Towns, Manors and Diſtricts, ſhall order and direct.

Perſons to be appointed by the reſpective Towns, to ſue for Fines incurred by Breach of this Act.

CHAP. DCCCLXXXVIII.

An ACT *to continue the ſeveral Acts therein mentioned.*

See Chap. 622.

Paſs'd the 24th of November, 1750.

WHEREAS the Act, entitled, †*An* Act *for the better clearing, regulating, and further laying out publick High-ways, in the County of* Suffolk, paſſed in the ſixth Year of his preſent Majeſty's Reign; ‖ and the Act, entitled, *An* Act *to continue an Act, entitled*, An *Act* for the better clearing, regulating, and further laying out publick High-ways in the County of *Suffolk, with ſome Additions thereto*; paſſed in the thirteenth Year of his ſaid Majeſty's Reign; and alſo the ‡ Act, entitled, *An* Act *to amend an Act, entitled*, An *Act* for the better clearing, regulating, and further laying out publick High-ways in the County of *Suffolk*; paſſed in the nineteenth Year of his ſaid Majeſty's Reign, will all expire on the firſt Day of *December* next; and the ſame having been found uſeful;

† Chap. 575.
‖ Chap. 686.
‡ Chap. 795.

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the above mentioned Acts, and every the Clauſes, Articles, Matters and Things in the ſame Acts contained, from the ſaid firſt Day of *December* next, ſhall be continued, and remain in full Force and Virtue, to all Intents, Conſtructions and Purpoſes whatſoever, until the firſt Day of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-five.

CHAP. DCCCLXXXIX.

An ACT *further to continue an Act, entitled*, An *Act* to encourage the Deſtroying of Wild-Cats in the County of *Suffolk.*

See Chap. 800.

Paſs'd the 24th of November, 1750.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the Act, entitled, *An* Act *to encourage the Deſtroying of Wild-Cats in the County of* Suffolk, paſſed in the Fifteenth Year of his preſent Majeſty's Reign, ſhall be, and hereby is continued, from the firſt Day of *December* next, unto the firſt Day of *January*, which will be in the Year One Thouſand Seven Hundred and Fifty-five.

Chap. 724, continued to 1755.

CHAP.

24th *GEORGE* II. A. D. 1750.

CHAP. DCCCXC.

An ACT *to encourage the Deſtroying of Wolves in the County of* Albany.

Paſs'd the 24th of November, 1750.

Preamble. WHEREAS the giving of an Encouragement for the Deſtroying of Wolves within the County of *Albany*, has, by Experience, been found beneficial to the Freeholders and Inhabitants of the ſaid County:

Reward given for killing of Wolves in the County of *Albany*. I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That from and after the Publication of this Act, and during the Continuance thereof, every Perſon, whether a Chriſtian or Slave, who ſhall kill or deſtroy a Wolf, or its Whelp, in the County of *Albany*, ſhall have and receive the Reward following, *that is to ſay*; For every grown Wolf, the Sum of *Eight Shillings*; and for every Wolf under the Age of one Year, the Sum of *Six Shillings*; and that every Native free Indian, ſhall have and receive one Half of the ſaid Reward, for Wolves killed and deſtroyed by them.

How the ſaid Reward is to be paid. II. AND to the End the Reward above-mentioned, may be truly paid and diſcharged, **Be it Enacted** *by the Authority aforeſaid*, That the Perſon or Perſons killing or deſtroying a Wolf or Wolves, and carrying the Head or Heads thereof, with the intire Skin thereon, within three Days after killing the ſame, to a Juſtice of the Peace reſiding in the ſaid County; the ſaid Juſtice ſhall, and hereby is obliged thereupon, to give a Certificate thereof *gratis*, and to mention therein, the Name or Names of the Perſon or Perſons that killed ſuch Wolf or Wolves, the Time when, and to diſtinguiſh whether the ſame were full grown, or under the Age of one Year; after which, the Ears of the Wolf or Wolves, ſo certified, are to be cut off in the Preſence of the ſaid Juſtice; and ſuch Certificate being produced to the Superviſors of the ſaid County, the ſaid Superviſors ſhall, and hereby are obliged, at their annual Meetings, to order the Treaſurer of the ſaid County, to pay unto the Perſon or Perſons, who ſo killed or deſtroyed the ſame, or to his or their Aſſigns, the Reward allowed and eſtabliſhed by this Act; and the ſaid Reward ſhall be a County Charge, and raiſed together with the other neceſſary and contingent Charges of the ſaid County. This Act ſhall be of Force from the Publication thereof, until the firſt Day of *January*, One Thouſand ſeven Hundred and Sixty.

Limitation of this Act.

CHAP. DCCCXCI.

See Chap. 809. ### *An* ACT *to revive an Act, entitled,* An *Act* to prevent Damages by Swine in *Dutcheſs* County.

Paſs'd the 24th of November, 1750.

Ch. 809, reviv'd to the firſt of *January*, 1760. I. **Be it Enacted** *by his Excellency the Governor, Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That an Act, entitled, *An* Act *to prevent Damages by Swine in* Dutcheſs *County*, paſſed in the Nineteenth Year of his Majeſty's Reign, expired by its own Limitation, ſhall be, and hereby is revived, and every Clauſe, Article and Thing therein contained, *Enacted* to be and remain of full Force and Virtue, to all Intents, Conſtructions and Purpoſes whatſoever, until the firſt Day of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Sixty.

CHAP.

CHAP. DCCCXCII.

24th *GEORGE* II. A. D. 1750.

See Chap. 172.

An ACT *to prevent Killing of Deer.*

Paſs'd the 24th of November, 1750.

I. BE it Enacted *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That if any Perſon or Perſons, after the firſt Day of *December* next, ſhall kill or deſtroy any wild Buck, Doe or Fawn, or any other Sort of Deer whatſoever, at any Time in the Months of *January*, *February*, *March*, *April*, *May*, or *June*; every ſuch Perſon, ſhall, for every ſuch Offence, forfeit and pay the Sum of *Forty Shillings*, for every ſuch Buck, Doe or Fawn, or other Deer, ſo killed or deſtroyed as aforeſaid, contrary to the true Intent and Meaning of this Act, to him or her who ſhall inform and ſue for the ſame, before any one Juſtice of the Peace in ſuch County where the Offence ſhall be committed; who is hereby impowered and required, to hear and determine the ſame, and to convict the Offender or Offenders, by the Oath or Affirmation of one or more credible Witneſſes; *Provided*, That ſuch Conviction be made within two Months after ſuch Offence be committed.

Months in which Deer muſt not be killed.

II. AND for the better convicting of Offenders againſt this Act; Be it Enacted *by the Authority aforeſaid*, That every Perſon in whoſe Cuſtody ſhall be found, or who ſhall expoſe to Sale, any green Deer-Skins, freſh Veniſon, or Deer's Fleſh, at any Time in any of the Months afore mentioned, and ſhall be convicted thereof as aforeſaid, ſhall be deemed guilty of the ſaid Offence. This Act to continue and remain of Force, until the firſt Day of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Sixty.

What ſhall be ſufficient Proof to convict Offenders.

Continuance of this Act.

CHAP. DCCCXCIII.

See Chap. 679.

An ACT *to revive an Act, entitled*, An *Act* to impower the Juſtices of the Peace in the County of *Albany*, living or dwelling in the Town of *Schenectady*, in the ſaid County, to regulate the Streets and High-ways; and to prevent Accidents by Fire in the ſaid Town.

Paſs'd the 24th of November, 1750.

WHEREAS an Act, entitled, *An* Act *to impower the Juſtices of the Peace in the County of* Albany, *living or dwelling in the Town of* Schenectady, *in the ſaid County, to regulate the Streets and High-ways; and to prevent Accidents by Fire in the ſaid Town*; paſſed in the thirteenth Year of his late Majeſty's Reign; has, by ſeveral ſubſequent Acts, been continued until the firſt Day of *December*, One Thouſand ſeven Hundred and Forty-four; and the Act having been found, by Experience, to be very uſeful and beneficial in the ſaid Town:

Preamble.

I. Be it therefore Enacted *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the above-mentioned Act, entitled, *An* Act *to impower the Juſtices of the Peace in the County of* Albany, *living or dwelling in the Town of* Schenectady, *in the ſaid County, to regulate the Streets and High-ways; and to prevent Accidents by Fire in the ſaid Town*; ſhall be, and hereby is revived; and every Clauſe, Article, and Thing therein contained, to be and remain of Force from the Publication hereof, until the firſt Day of *January*, which will be in the Year of our Lord, One Thouſand ſeven Hundred and Sixty.

Ch. 488 reviv'd to the firſt of *January*, 1760.

CHAP.

24th *GEORGE* II. A. D. 1750.

CHAP. DCCCXCIV.

An ACT *impowering the Judges, Juſtices, and Clerk of the Court of Common-Pleas for* Orange *County, to take the Probate of Wills, and to grant Letters of Adminiſtration.*

Paſs'd the 24th of November, 1750.

Preamble.

† Chap. 27.

WHEREAS by an Act of the General Aſſembly, paſſed in the fourth Year of the Reign of their late Majeſties King WILLIAM and Queen MARY, entitled, *An* † Act *for the Superviſing inteſtate Eſtates, and regulating the Probate of Wills, and granting of Letters of Adminiſtration*, it was *Enacted*, among other Things in the ſame Act mentioned, That the Courts of Common Pleas for the ſeveral remote Counties from *New-York*, ſhould be impowered and authoriſed, to take the Examination of Witneſſes to any Will within the reſpective Counties upon Oath, and to grant Letters of Adminiſtration, as by the ſaid Act at large doth appear. AND whereas the County of *Orange*, was not then conſidered and eſteemed one of the remote Counties, but ſince the Paſſing of the ſaid Act, the North-Weſt Parts of the ſaid County of *Orange*, being near one Hundred Miles Diſtance from the City of *New-York*, hath increaſed greatly in Number of Inhabitants, as well by Families removing to thoſe Parts, as otherwiſe, who now labour under the like Inconveniencies, as thoſe of the ſaid remote Counties did, before the Remedy provided by the aforeſaid Act.

How Probate of Wills, &c. may be taken, in *Orange* County.

I. **Be it therefore Enacted** *by the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That from and after the Publication of this Act, the Court of Common-Pleas for the County of *Orange*, and the Judges and Juſtices in the Times of the Vacations of the ſaid Court of Common-Pleas, and the Clerk of the ſame County, ſhall have, and hereby are veſted with the like Power and Authority, to take the Examination of any Witneſſes to Wills upon Oath, within the ſaid County, and to grant Letters of Adminiſtration, in like Manner and Form, and to act, do and perform, touching and concerning the ſame, as fully and amply, to all Intents, Purpoſes and Conſtructions, as the ſaid Courts of Common-Pleas, and the ſaid Judges, Juſtices and Clerks of the Courts of the ſaid remote Counties, have, by Virtue of the aforeſaid Act; any Thing contained in the ſaid Act to the contrary hereof notwithſtanding.

CHAP. DCCCXCV.

An ACT *to continue the two Acts therein mentioned, for ſupporting the Garriſon and Trading-Houſe at* Oſwego.

Paſs'd the 24th of November, 1750.

‡ Chap. 764.

* Chap. 873.

Preamble.

WHEREAS an Act, entitled, *An* ‡ Act *to ſupport the Garriſon and Trading Houſe at* Oſwego; paſſed in the eighteenth Year of his preſent Majeſty's Reign; as alſo one other Act, entitled, *An* * Act *further to continue an Act, entitled*, An *Act* to ſupport the Garriſon and Trading-Houſe at *Oſwego*; *with ſome Additions thereto*; paſſed in the twenty-ſecond Year of his Majeſty's Reign, will expire the firſt Day of *January* next; and foraſmuch as it is neceſſary to ſupport the Garriſon and Trading-Houſe there;

I. Be

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the two Acts above-mentioned, ſhall be, and hereby are continued; and every Clauſe, Article, Matter and Thing in the ſaid two Acts contained, *Enacted* to be and remain in full Force and Virtue, to all Intents, Conſtructions and Purpoſes whatſoever, from the ſaid firſt Day of *January* next, until the firſt Day of *January*, which will be in the Year of our Lord, One Thouſand ſeven Hundred and Fifty-two.

Acts for ſupporting the Trading-Houſe, continued till the firſt Day of *January*, 1752.

II. **Provided always, and be it Enacted** *by the Authority aforeſaid*, That whereas *Gerrit Cornelius Vandenbergh*, one of the Commiſſioners for collecting the Duties laid by the aforeſaid Act or Acts, is removed from *Albany*; *John Bleeker* and *Peter Schuyler*, jun. ſhall be, and hereby are appointed Commiſſioners (with *John Depeyſter*, in the firſt Act aforeſaid mentioned) to collect the ſaid Duties, in the Room and Stead of the aforeſaid *Gerrit Cornelius Vandenbergh*; and they, the ſaid *John Bleeker* and *Peter Schuyler*, jun. with the ſaid *John Depeyſter*, ſhall be, and hereby are veſted with as full Power and Authority, to exerciſe the Office of Commiſſioners of the ſaid Duties; and ſhall be ſubject to the like Rules and Directions, take the like Oaths, enter into the like Recognizance, and be intitled to the like Rewards, as if they had been actually named and appointed in the ſaid Act firſt above-mentioned; any Thing therein contained to the contrary notwithſtanding.

Commiſſioners named for collecting the Duties.

Their Power.

III. **And be it further Enacted** *by the Authority aforeſaid*, That all Indian Goods and Merchandize whatſoever, ſubject to a Duty, by the aforeſaid Act, ſold in the City and County of *Albany*, to any other Perſon or Perſons whatſoever, than ſuch as are Inhabitants of the County of *Albany*, for their own Family's Uſe; ſhall be, and hereby are made liable and ſubject to the ſame Duties as if ſold to Indians; and all Goods and Merchandize whatſoever, carried to *Oſwego*, for Trade, if ſold there, or delivered on the Way thither, or in returning back from thence, to any Perſon or Perſons whatſover, ſhall be, and hereby are made liable and ſubject to the ſame Duties as if ſold to Indians; and the Commiſſioners for collecting and receiving the Duties, of Goods ſold to Indians, purſuant to the Proviſions made in the firſt mentioned Act, ſhall be, and hereby are impowered and required, to collect the ſaid Duties, and ſhall be, and hereby are veſted with like Powers and Authorities for collecting the ſaid Duties, as they are by the aforeſaid Act veſted with, for collecting and receiving the Duties laid on Goods ſold to Indians, any Thing in the aforeſaid Act, to the contrary notwithſtanding.

Goods ſubject to Duty, ſold to any other Perſons in *Albany* or *Oſwego*, liable to the ſame Duty as if ſold to Indians.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That the Commiſſioners for collecting the Duties impoſed in and by the aforeſaid Act, ſhall be, and hereby are enabled and made capable, in their own Name or Names, to ſue for and recover the Penalty of *Fifty Pounds*, laid, in and by the ſaid firſt mentioned Act, on every Perſon ſuſpected of carrying or ſelling Goods ſubject to Duty by the aforeſaid Act, without entering the ſame, as directed by the ſaid Act, who being ſummoned to appear, or appearing, refuſes to ſwear, and give an Account, as directed by the aforeſaid Act; and the Penalty and Penalties ſo recovered, they, the ſaid Commiſſioners, ſhall apply toward the Charge of ſupporting the ſaid Garriſon and Trading-Houſe at *Oſwego*; and ſhall of ſuch Application, give a true and juſt Account on Oath, to the Governor, or Commander in Chief, for the Time being, to the Council, or General Aſſembly, when by them, or any of them, thereunto required; any Thing in the aforeſaid Act to the contrary hereof notwithſtanding.

Commiſſioners to ſue for the Penalty of 50 *l.* in their own Names.

24th *GEORGE* II. A. D. 1750.

Perſons that carry Goods at the Carrying-Places, to keep the Roads in good Repair.

V. **And be it further Enacted** *by the Authority aforeſaid*, That all and every the Perſon and Perſons, who practice the conveying and carrying of Goods acroſs any of the Carrying-Places leading to the Trading-Houſe at *Oſwego*; all, and every ſuch Perſon and Perſons, ſhall keep the Roads acroſs the ſaid Carrying-Places, in good and ſufficient Order and Repair; and upon Complaint made of the Inſufficiency of the ſaid Roads, by any Perſon or Perſons, to a Juſtice of the Peace living nigheſt to the ſaid Road, the ſaid Juſtice of Peace ſhall, and hereby is impowered and required, ſo often as he ſhall judge it neceſſary, to order and direct all the ſaid Perſons uſing the ſaid Roads, to put them in good and ſufficient Order; and every ſuch Perſon, ſo uſing the ſaid Roads, who, being duly warned by Order from the ſaid Juſtice, ſhall neglect or refuſe to do his or their Parts towards keeping the ſaid Road in Repair; he or they ſhall reſpectively forfeit, for every ſuch Neglect or Refuſal, the Sum of *Thirty Shillings*; to be levied by Diſtreſs and Sale of his or their Goods and Chattels, by Order from the ſaid Juſtice of Peace, directed to ſuch Perſon as he ſhall think proper to appoint for that Purpoſe; which Penalties or Forfeitures, ſo levied, ſhall be applied by the ſaid Juſtice, towards keeping the ſaid Roads in good and ſufficient Repair.

Johan Joſt Petree appointed to ſupply the Garriſon with Proviſions, &c.

VI. And whereas *Johan Joſt Petree*, has undertaken to furniſh the ſaid Garriſon with Proviſions, in the Room and Stead of Col. *William Johnſon*, late Contractor; **Be it Enacted** *by the Authority aforeſaid*, That the ſaid *Johan Joſt Petree* ſhall be, and hereby is obliged, to furniſh the ſaid Garriſon with Proviſions, in the Manner directed in the aforeſaid Act, for the Contractors therein named to perform; ſhall enter into the like Recognizance, and ſhall be intitled to the like Allowances for the ſame, as if he had been actually named and appointed in the ſaid Act; any Thing therein contained to the contrary notwithſtanding.

CHAP. DCCCXCVI.

See Chap. 754.

An ACT *to continue an Act, entitled*, An *Act* for the better Relief of the Poor in *Dutcheſs* County.

Paſs'd the 24th of November, 1750.

Preamble.

WHEREAS an Act, entitled, *An* Act *for the better Relief of the Poor in* Dutcheſs *County*, paſſed in the Seventeenth Year of his preſent Majeſty's Reign, will expire by its own Limitation, the Twenty-fifth Day of *December*, in this preſent Year of our Lord One Thouſand Seven Hundred and Fifty; and the ſaid Act having by Experience been found to be very beneficial to the ſaid County;

Act continued.

I. **Be it therefore Enacted** *by the Governor, Council, and General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the above mentioned Act, ſhall be, and hereby is continued, until the Twenty-fifth Day of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Sixty.

24th *GEORGE* II. A. D. 1750.

CHAP. DCCCXCVII.

An ACT *further to prolong the Currency of the Bills of Credit emitted by Virtue of an Act, entitled,* An *Act* for emitting Bills of Credit for the Payment of the Debts, and for the better Support of the Government of this Colony, and other Purpoſes therein mentioned.

See Chap. 768.

Paſs'd the 24th of November, 1750.

WHEREAS an Act, entitled, *An* Act *for emitting Bills of Credit for the Payment of the Debts, and for the better Support of the Government of this Colony, and other Purpoſes therein mentioned,* paſſed in the Eleventh Year of his Majeſty's Reign, has, by a ſubſequent Act, paſſed in the Seventeenth Year of his Majeſty's Reign, been prolonged and continued until the third Tueſday in the Month of *April,* which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-four: And whereas the Circumſtances of the Colony ſtill require the Aid of the Intereſt Money ariſing on the Bills of Credit, iſſued by Virtue of the aforeſaid Act, for ſupporting the ſame in an honourable Manner;

Preamble.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the Time for which the ſaid Intereſt Money ſtands appropriated for Support of the Government, by the ſaid ſubſequent Act, entitled, *An* Act *to prolong the Currency of Bills of Credit emitted by Virtue of an Act, entitled,* An *Act* for emitting Bills of Credit for the Payment of the Debts, and for the better Support of the Government of this Colony, and other Purpoſes therein mentioned; ſhall be, and hereby is deferred, removed and further prolonged, until the third Tueſday in the Month of *April,* which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-ſeven; any Thing in either of the ſaid Acts to the contrary notwithſtanding. And that at the Time laſt mentioned, one fourth Part of the ſaid Bills of Credit, and the Remainder thereof in the three next ſucceeding Years, ſhall be paid in, and cancelled and deſtroyed at the Times, and in the Manner directed in and by an Act, entitled, *An* Act *for the more effectual cancelling the Bills of Credit of this Colony,* paſſed in the Twenty-firſt Year of his Majeſty's Reign: And that as well the ſaid firſt mentioned Act, as one other Act, entitled, *An* Act *to facilitate and explain the Duty of the Loan-Officers in this Colony,* paſſed in the ſaid Eleventh Year of his Majeſty's Reign, and every the Clauſes, Articles, Matters and Things in them contained, ſhall be, and hereby are *Enacted* to continue and remain of full Force and Virtue, to all Intents, Conſtructions and Purpoſes whatſoever, until the third Tueſday in *April,* which will be in the Year One Thouſand Seven Hundred and Sixty, any Thing in the ſaid Acts contain'd to the contrary notwithſtanding.

Part of Chap. 745. continued to third Tueſday of *April,* 1757.

Chap. 666, and 667. continued to third Tueſday in *April,* 1760.

II. **And be it further Enacted** *by the Authority aforeſaid,* That the ſaid Bills, during the Time they are hereby enacted to remain current, ſhall continue to be put out at Intereſt in the ſame Manner and Method as in the ſaid firſt mentioned Act is directed; and that all the Intereſt Money which may ariſe on them during that Time, ſhall from Time to Time be employed to and for the Support of the Government of this Colony, in ſuch Manner as ſhall by Act or Acts hereafter to be paſſed for that Purpoſe, be ordered and directed, and not otherwiſe.

The Bills to continue to be put out at Intereſt.

24th *GEORGE* II. A. D. 1750.

Loan-Officers impowered to alter the Mortgages, &c.

III. **And be it further Enacted** *by the Authority aforeſaid,* That the Loan-Officers of the ſeveral Cities and Counties within this Colony, for the Time being, ſhall be, and hereby are fully impowered and authoriſed, to alter the Form of all ſuch Mortgages, as ſhall by them, or any of them, hereafter be taken in any of their Offices, in Relation to the Time and Times of Payment, in ſuch Manner as to make the ſame anſwerable to the true Intent and Meaning of this Act, any Thing in any of the before mentioned Acts to the contrary notwithſtanding.

Loan-Officers ſuſpecting the Sufficiency of Borrowers may call in the Principal.

IV. **And be it further Enacted** *by the Authority aforeſaid,* That whenſoever the Loan-Officers of the ſeveral Cities and Counties of this Colony, ſhall, from the Information of any one of the Supervizors in the reſpective Counties of this Province, or from the Information of the Juſtices and Veſtrymen of the City of *New-York*, or the major Part of them, have ſufficient Reaſon to ſuſpect the Inſufficiency of any of the Securities taken, or to be taken, for any Sums of Money lent, or to be lent out of any of their ſeveral Offices, either as to the Value or Title of the ſaid Securities; they, the ſaid Loan-Officers, ſhall be, and hereby are impowered and required, to demand Payment of the principal Sums, notwithſtanding the due Payment of the Intereſt thereof, or farther ſufficient Security; and upon Failure of due Payment of ſuch principal Sums, or refuſing or neglecting to give farther ſufficient Security within fourteen Days after ſuch Demand made; to proceed to the Sale of the mortgaged Lands, or to ſuch other Remedy as is given by the aforeſaid Act, according to the Nature of the Caſe, and therein to purſue the Rules and Directions preſcribed in and by the aforeſaid Act, any Thing therein contained to the contrary notwithſtanding.

Sureties of Loan-Officers willing to be diſcharged, to give Notice.

V. **And be it further Enacted** *by the Authority aforeſaid,* That if any of the Perſons who became Sureties for the Loan-Officers, purſuant to the aforeſaid Act, ſhall be deſirous of being diſcharged from continuing longer under their ſaid Engagements; they ſhall give Notice thereof in Writing, to the Superviſors of the reſpective Counties, or to the Mayor and Aldermen of the reſpective Cities, where they ſo ſtand engaged, by the firſt Tueſday of *March* next; and the ſaid Superviſors, or Mayor and Aldermen reſpectively, ſhall immediately thereafter, give Notice in Writing to the reſpective Loan-Officers, whoſe Sureties ſo deſire to be diſcharged, That he or they do, by the firſt Tueſday of *April* following, provide and give new Surety: And in Caſe any of the ſaid Loan-Officers ſo notified as aforeſaid, ſhall fail in giving new Surety, to the Satisfaction of the ſaid Superviſors, or Mayor and Aldermen reſpectively, by the ſaid Day; then the ſaid Superviſors, or Mayor and Aldermen reſpectively, ſhall proceed to the Choice of a new Loan-Officer or Loan-Officers, in the Room and Stead of ſuch ſo failing, and in their Proceedings thereon, ſhall purſue the Directions of the aforeſaid Act, with Reſpect to the Choice of new Loan-Officers, in the ſeveral Caſes therein mentioned; any Thing in this, or the aforeſaid Act to the contrary notwithſtanding.

CHAP.

24th *GEORGE* II. A. D. 1750.

CHAP. DCCCXCVIII.

An ACT *further to continue an Act, entitled,* An *Act* to prevent the ſetting on Fire or burning the old Graſs on *Hampſtead Plains.*

See Chap. 689.

Paſs'd the 24th of November, 1750.

I. BE it Enacted *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That an Act, entitled, *An* Act *to prevent the ſetting on Fire or burning the old Graſs on* Hampſtead Plains, paſſed in the Twelfth Year of his late Majeſty's Reign, and by ſeveral ſubſequent Acts, continued to the firſt Day of *December*, in this preſent Year of our Lord One Thouſand Seven Hundred and Fifty, ſhall be, and hereby is further continued, and every Clauſe, Article, Matter and Thing therein contained, *Enacted* to be of full Force and Virtue, to all Intents, Conſtructions and Purpoſes whatſoever, until the firſt Day of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Sixty.

Chhap. 482 continued.

II. AND whereas ſeveral of the Perſons appointed in the ſaid firſt mentioned Act, to put the ſame in Execution, with reſpect to the Extinguiſhing of Fire, are either dead, or remov'd from the reſpective Plantations where they then reſided; by which Means, the good Ends and Purpoſes thereby intended, may be fruſtrated: For preventing whereof; BE it Enacted *by the Authority aforeſaid,* That the Perſons herein after named, *viz. William Cornel, John Rock Smith, Richard Williams, Nathaniel Seaman,* jun. *John Willis, Joſeph Balding, Jacob Seaman,* of *Jerico*; *John Robins, Benjamin Haviland, Richard Powell, Joſeph Seaman, James Seaman, John Jackſon,* Eſq; *Samuel Seaman,* at *Jeruſalem* Point; *John Hall,* and *John Durland*; ſhall be, and hereby are appointed, to put in Execution the ſeveral Powers and Authorities given by the ſaid firſt mentioned Act, to the Perſons therein appointed for that Purpoſe; and the ſaid Perſons above named, are hereby veſted with as full Power and Authority in that Reſpect, as if they had been appointed in and by the ſaid firſt mentioned Act; any Thing therein contained to the contrary notwithſtanding.

Perſons appointed to put the Act in execution.

CHAP. DCCCXCIX.

An ACT *to prevent the Exportation of unmerchantable Flour, and the falſe taring of Bread and Flour Caſks.*

Paſs'd the 24th of November, 1750.

WHEREAS in all well-regulated States, the greateſt Care is taken to have their Staple Commodities put under proper Regulations; and as the Flour of this Colony (its greateſt Staple) has, in a great Meaſure, loſt its Reputation abroad; therefore, in order to retrieve and preſerve the ſame;

Preamble.

I. BE it Enacted *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That every Bolter of Flour, or Baker of Bread, for Exportation from the City of *New-York*, reſiding, or at any Time hereafter, during the Continuance of this Act, to reſide within this Colony, ſhall each one for himſelf, provide and have a diſtinguiſhable Brand-Mark; as alſo, if he thinks proper, a Brand-Mark to diſtinguiſh the County where he reſides; and ſhall therewith brand each and

All Bolters and Bakers to have Brand Marks, &c.

24th *GEORGE* II. A. D. 1750.

and every Caſk of Flour or Biſcuit of his own bolting or baking, for Exportation from the City aforeſaid, before the ſame ſhall be removed from the Place where the ſame was ſo as aforeſaid, bolted or baked, under the Penalty of *One Shilling* for every Caſk ſo removed, and not branded as aforeſaid: But before any ſuch Bolter or Baker ſhall bolt any Flour, or bake any Bread for Exportation out of the City aforeſaid, every ſuch Bolter or Baker, ſhall cauſe ſuch his Brand-Mark or Marks, together with his Name and Place of Abode, to be entered with the Clerk of the Court of Seſſions, for the City or County where he doth reſide; and ſo, from Time to Time, as often as any ſuch Bolter or Baker ſhall move the Place of his Reſidence from one County of this Colony, into another, within the Space of one Month after ſuch Removal, or any Alteration of his Brand-Mark or Marks; he ſhall there cauſe his Mark or Marks, Name and Place of Reſidence, to be entered with the Clerk of the reſpective City or County, to which he doth remove; for recording whereof the Clerk ſhall have and receive *One Shilling*, and no more; and every Bolter or Baker offending herein, ſhall forfeit and pay the Sum of *Forty Shillings.*

And enter their Names, &c. with the Clerk of the Seſſions.

II. **And be it Enacted** *by the Authority aforeſaid*, That all Wheat-Flour bolted for Exportation, as aforeſaid, from and after the Twenty-fifth of *March* next, ſhall, by the Bolter thereof, be made merchantable, and of due Fineneſs, and honeſtly and well packed in good ſtrong Caſks, well made, and of Staves well ſeaſoned, with the Tare of the Caſk marked thereon; and each and every Caſk thereof, ſhall be well and ſufficiently nailed, before the ſame be moved or carried from the Place where the ſame were made, as aforeſaid. And if any Bolter or Baker ſhall offend in all or any of the Premiſſes, he, ſhe, or they, ſhall forfeit and pay for every ſuch Offence, the Sum of *One Shilling*, for each Caſk.

Wheat-Flour to be made merchantable, fine, and to be well pack'd, &c.

III. **And be it Enacted** *by the Authority aforeſaid*, That if any Perſon or Perſons ſhall put a falſe or wrong Tare on any Caſk of Flour or Bread, to the Diſadvantage of the Purchaſer, he, ſhe, or they, ſhall forfeit and pay for every ſuch Caſk falſely tared, as aforeſaid, the Sum of *Five Shillings*; one Half thereof to the Purchaſer of ſaid Flour or Bread.

Penalty on falſe taring a Cask.

IV. **And be it Enacted** *by the Authority aforeſaid*, That no Perſon or Perſons whatſoever, ſhall ſhip any Flour for Exportation, as aforeſaid, before he ſhall firſt ſubmit the ſame to the View and Examination of the Officers herein after named, who ſhall ſearch and try the ſame, by boring the Head, and piercing it through with an Inſtrument to be contriv'd for that Purpoſe, in order to prove whether it be honeſtly and truly packed, as alſo to enable him to judge of its Goodneſs; and ſhall afterwards plug up the Hole: And if the ſaid Officer or Officers, or any one of them, ſhall judge the ſame to be merchantable, according to the Direction of this Act, he ſhall brand every ſuch Caſk of Flour on the Quarter, in a fair and diſtinguiſhable Manner, with the Province Arms, and the initial Letters of his Name and Sir-name; for which Trouble the reſpective Officer or Officers ſhall have and receive of the Purchaſer, *One Penny* per Caſk, and no more.

No Flour to be exported before it is inſpected.

The Manner of the Inſpection, &c.

V. **Provided always, and be it Enacted** *by the Authority aforeſaid*, That if any Diſpute ſhould happen to ariſe, between the ſaid Officers, or any of them, and Poſſeſſor of ſuch Flour, concerning the Fineneſs or Goodneſs thereof, upon Application made to one of the Magiſtrates of the City of *New-York*, he ſhall, and hereby is required, to iſſue his Warrant to three indifferent judicious Perſons of Skill and Integrity, to view and ſearch the ſaid Flour; one

If Diſputes ariſe between the Owners and Inſpectors, how the ſame are to be determined.

one of them to be named by the Poſſeſſor of ſuch Flour, the ſecond to be named by the Officer, and the third Perſon to be named by the ſaid Magiſtrate; which three Perſons ſhall be duly ſworn, carefully to examine the ſaid Flour, and make Report forthwith, according as they find the ſame; and the ſaid Magiſtrate is hereby impowered and required to give Judgment agreeable to the Report of the Perſons ſo named, or to the Report of any two of them: And in Caſe the ſaid Flour is judged not fit to be exported, the ſaid Magiſtrate ſhall order it not to be exported on the Forfeiture of all the Flour; and ſhall alſo award and order the Owner or Poſſeſſor of ſaid Flour, to pay the ſaid Officer or Officers *Three Pence* for each Caſk, for all ſuch Flour as ſhall be judged not fit for Exportation, as aforeſaid, with reaſonable Coſts and Charges, who ſhall recover the ſaid Coſts and Charges from the Bolter or Maker thereof: But in Caſe the ſaid Flour, upon Trial, ſhall be found to be good and merchantable, according to the Directions of this Act, the Charges of Proſecution ſhall be paid by the Officer or Purchaſer, at whoſe Requeſt the Trial was made: And in Caſe any Flour ſhall, upon Trial, be found not merchantable, or not fit to be exported, the Officer or Officers ſhall take the Bolter's Brand, and the Marks and Numbers of ſuch Caſks of Flour; and if the ſame Flour be afterwards ſhipp'd in order for Exportation, the Proof that it is not the ſame Flour, ſhall lie wholly on the Owner or Shipper thereof, and ſhall not be incumbent on the ſaid Officer or Officers.

And with what Conſequences ſuch Determinations ſhall be attended.

VI. **And be it Enacted** *by the Authority aforeſaid*, That ſuch Officer or Officers, ſhall have full Power and Authority, by Virtue of this Act, and without any further or other Warrant, to enter on board any Ship, Sloop or Veſſel whatſoever, lying or being in the Harbour of ſaid City, to ſearch for, and make Diſcovery of any Flour ſhipp'd or ſhipping on board any ſuch Veſſel, for Exportation out of this Colony; and if ſaid Officer ſhall, on ſuch Search, diſcover any Caſk or Caſks of Flour, not branded as before directed, the Perſon or Perſons ſo ſhipping the ſame, ſhall forfeit all and every ſuch Caſk or Caſks of Flour ſo ſhipped or ſhipping, and not branded in the Manner before directed; and the Maſter or Commander of any ſuch Veſſel who ſhall receive any ſuch Caſk or Caſks of Flour not branded as aforeſaid, ſhall forfeit and pay for each Caſk ſo received on board his Veſſel, the Sum of *Ten Shillings*; and if any Maſter of ſuch Veſſel, or any of his Servants or Seamen, ſhall obſtruct or hinder the ſaid Officer or Officers, in making ſuch Search as aforeſaid, every Perſon ſo offending, ſhall forfeit the Sum of *Fifty Pounds*.

Inſpectors impowered to ſearch Veſſels for Flour not branded.

Such Flour forfeited, and the Maſter to pay 10*s.* for every Caſk, and every Perſon obſtructing the Inſpectors, 50*l.*

VII. **And be it Enacted** *by the Authority aforeſaid*, That *Francois Marſchalck*, *John Livingſton*, and *Hendrick Bogert*, ſhall be, and hereby are appointed the Officers for viewing and examining all Flour that is intended to be ſhipp'd for Exportation directly from the Port of *New-York*; and if the Officers, or any of them hereby appointed, ſhall, by any Accident, be rendered incapable, or neglect to execute the ſaid Office, or miſbehave him or themſelves therein, or ſhall happen to die; then, and ſo often, and from Time to Time, in ſuch Caſes, it ſhall and may be lawful, to and for the Mayor and Aldermen of the City of *New-York*, or the major Part of them, to ſupply his or their Place, by ſome other fit and capable Perſon, who ſhall thereupon be the Officer for putting this Act in Execution, until another be appointed by Act or Acts hereafter to be paſſed for that Purpoſe; any Law, Charter, Uſage or Cuſtom, to the contrary notwithſtanding. But before the ſaid Officer or Officers hereby or hereafter to be appointed, ſhall do any Thing in Execution of their ſaid Office, they ſhall each of them take an Oath before any Magiſtrate of the City of *New-York*, in the Words following:

Inſpectors appointed.

Now a Vacancy to be ſupplied.

I A. B.

24th *GEORGE* II. A. D. 1750.

Inſpectors Oath.

I A. B. *do ſwear, That I will faithfully, truly and impartially, according to the beſt of my Judgment, Skill and Underſtanding, execute, do and perform, the Office and Duty of an Inſpector and Examiner of Flour, according to the true Intent and Meaning of an Act, entitled,* An *Act* to prevent the Exportation of unmerchantable Flour, and the falſe taring of Bread and Flour Caks : *So help me God.*

Inſpectors not to buy any Flour which they ſhall condemn.

VIII. **And be it Enacted** *by the ſame Authority,* That the ſaid Officer or Officers hereby appointed, or hereafter to be appointed, are hereby ſtrictly charged and required, not to purchaſe any Flour by them condemned as aforeſaid, or any Flour whatſoever, other than for their own particular Uſe, under the Penalty of *Fifty Pounds*; to be recovered by Action of Debt, Bill, Plaint or Information, by any Perſon or Perſons that ſhall ſue for the ſame to Effect, in any Court of Record in this Colony ; the one half thereof to the Perſon or Perſons ſo ſuing, the other half thereof to be paid to the Treaſurer of this Colony, for and towards the Support of the Government thereof.

Penalty for refuſing to inſpect when required.

IX. **And be it further Enacted** *by the Authority aforeſaid,* That if any of the aforeſaid Officers, not then imployed in the Examination of Flour, according to the Powers and Authorities given by this Act, ſhall, on Application to them, or any of them made, for the Examination of any Flour as aforeſaid, refuſe, neglect or delay to proceed to ſuch Examination for the Space of three Hours after ſuch Application ſo made ; the ſaid Officer or Officers ſo refuſing, neglecting or delaying to make ſuch Examination, ſhall, for each Offence reſpectively, forfeit the Sum of *Twenty Shillings,* to the Uſe of the Perſon or Perſons ſo delayed.

Penalty for counterfeiting Brand-Marks.

X. **And be it Enacted** *by the Authority aforeſaid,* That if any Perſon or Perſons ſhall counterfeit any of the aforeſaid Brand-Marks, or impreſs or brand the ſame on any Caſk of Flour ; he, ſhe, or they, being thereof legally convicted, ſhall forfeit and pay the Sum of *One Hundred Pounds.*

And for emptying Caſks after they are branded, to export Flour in them not inſpected.

XI. **And be it Enacted** *by the Authority aforeſaid,* That if any Perſon or Perſons ſhall empty any Caſk of Flour, branded as aforeſaid, in order to put in other Flour for Sale or Exportation, without firſt cutting out the ſaid Brand-Marks ; the ſaid Perſon or Perſons ſo offending, ſhall reſpectively forfeit the Sum of *One Hundred Pounds.*

Inſpectors to ſue for the Fines, and in what Manner they are to be recovered.

XII. **And be it Enacted** *by the Authority aforeſaid,* That the Officers aforeſaid ſhall be, and hereby are authoriſed, impowered and directed, to ſue for all Fines and Forfeitures mentioned in this Act, except ſuch as are herein before otherwiſe applied, and excepting their own Forfeitures ; which Fines and Forfeitures not exceeding *Forty Shillings,* ſhall be recovered in the ſame Manner as other Debts under *Forty Shillings,* by the Laws of this Colony, are recoverable ; where the ſame exceed *Forty Shillings,* they may be ſued for, and ſhall be recovered in any Court of Record in this Colony, by Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, or any more than one Imparlance ſhall be allowed ; the one Half of all which ſaid Fines and Forfeitures, when recovered, the ſaid Officers ſhall immediately pay into the Hands of the Treaſurer of this Colony, towards the Support of the Government thereof ; and the other Half they may retain in their own Hands, for their own Uſe as Proſecutors.

Limitation of this Act.

XIII. **And be it Enacted** *by the Authority aforeſaid,* That this Act ſhall commence from the twenty-fifth Day of *March* next, and ſhall be and remain in Force until the firſt Day of *January,* One Thouſand ſeven Hundredand Fifty-two.

CHAP.

CHAP. DCCCC.

24th *GEORGE* II. A. D. 1750.

Obſolete.

An ACT *for the Payment of the Debts of this Colony, and for other the Purpoſes therein mentioned.*

Paſs'd the 24th of November, 1750.

CHAP. DCCCCI.

Expired 1ſt of *September*, 1751.

An ACT *for the Payment of the Salaries and Services therein mentioned, to the firſt of* September, *One Thouſand Seven Hundred and Fifty-one.*

Paſs'd the 24th of November, 1750.

CHAP. DCCCCII.

Private.

An ACT *for naturalizing* Jacobus Tiedman, Lodwyck Bamper, Margaret Bamper, Adrian Houtvat, Haeman Levy, James Herpain, Iſaac Van Haeren Caſpel, Engelbert Kemmanne, Godfrey Miller, John Smith, Jacob Matchker, Charles Shelts, Hendrick Snyder, John Frederick Neith, John Watſell, John Bury, John Kettleman, Joſeph Cachet Marchand, Cordt Arent Flaake, Peter Lorin, Charles John Dutens, Johannes Van Beverhoudt Gloudiſz, Claudius Van Beverhoudt, Johannes Van Beverhoudt, Bertrand Van Beverhoudt, Berandt Longomack Van Beverhoudt, Barns Robinſon, John Anderſon, Godfrey Hoin, Margaret Van Beverhoudt, John Colon, Conradt Kults, Michael Smith, William Voogt, *and* Elias Bonnain.

Paſs'd the 24th of November, 1750.

CHAP. DCCCCIII.

Obſolete; *but provided for by Chap.* 917.

An ACT *for the Relief of Inſolvent Debtors, with Reſpect to the Impriſonment of their Perſons.*

Paſs'd the 24th of November, 1750.

CHAP. DCCCCIV.

An ACT *to regulate the Guaging of Rum, Brandy, and other diſtilled Liquors, and Molaſſes, and other Purpoſes therein mentioned.*

Paſs'd the 24th of November, 1750.

Preamble.

WHEREAS great Abuſes are commited in guaging of Caſks of Rum, and other ſpirituous Liquors, and Molaſſes, ſold in this Colony; to prevent which;

All ſpirituous Liquors, and Molaſſes to be guaged by the *Sliding Gunter*.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That all Caſks containing either Rum, Brandy, or any other ſpirituous Liquors, or Molaſſes, that ſhall be ſold in the City of *New-York*, by the Gallon, in Caſk, after the Twenty-fifth Day of *March* next, ſhall, before the Sale thereof, be gauged by the *Sliding Gunter*, juſtly to aſcertain the Number of Gallons contained in ſuch Caſk; which gauging ſhall be perform'd by *John Kip*, Gauger of Liquors ſubject to Duties within this Colony, or by the Gauger thereof for the

24th *GEORGE* II. A. D. 1750.

Time being, or by Deputies by him appointed, unleſs the Buyer and Seller agree to the contrary; which ſaid Gauger and his Deputies, ſhall firſt be duly ſworn, well, truly and faithfully, to execute the Duty of the ſaid Office; for which Gauging, he or they ſhall receive for each Caſk ſo gauged by him or them, the Sum of *Four Pence*, and no more.

No Liquor to be ſold before it is gauged.

II. **And be it further Enacted** *by the Authority aforeſaid*, That any Perſon or Perſons that ſhall, after the Twenty-fifth of *March* next, preſume to ſell any Rum, Brandy, or other ſpirituous Liquors, or Molaſſes, without firſt cauſing the ſame to be gauged in the Manner above directed; he, ſhe, or they, ſo offending, ſhall pay for every ſuch Offence, the Sum of *Forty Shillings*; to be recovered as Debts of *Forty Shillings* and under, are recoverable in this Colony, by any Perſon or Perſons who ſhall ſue for and proſecute the ſame to Effect, with full Coſt of Suit.

Size of *Madeira* Wine Caſks, &c.

III. **And be it Enacted** *by the Authority aforeſaid*, That all *Madeira* Wine imported into this Colony, from and after the firſt Day of *January*, One Thouſand ſeven Hundred and Fifty-one, ſhall be in Pipes containing not leſs than One hundred and twenty Gallons; or in Hogſheads containing not leſs than ſixty Gallons; or in Quarter-Caſks containing not leſs than thirty Gallons; on the Forfeiture of *Five Pounds* for every Pipe, and in the like Proportion for every Hogſhead and Quarter-Caſk, ſo imported contrary to the true Intent and Meaning of this Act; the Contents of all which Pipes, Hogſheads and Quarter-Caſks, ſhall be aſcertained, adjudged and determined, by the publick Gauger of this Colony; the one Half of which Forfeiture ſhall be to the Perſon or Perſons who ſhall ſue for and proſecute the ſame to Effect; the other Half to the Treaſurer of this Colony, to be apply'd for and towards the Support of the Government of this Colony.

Limitation of this Act.

IV. **And be it Enacted** *by the Authority aforeſaid*, That this Act ſhall be in Force from the twenty-fifth Day of *March* next, to the firſt Day of *January*, which will be in the Year of our Lord One Thouſand ſeven Hundred and Fifty-two.

CHAP. DCCCCV.

The Act alter'd, in Chap. 801.

An ACT *to alter part of an Act, entitled,* An *Act* for the better clearing, regulating, and further laying out publick High-Roads in the County of *Weſtcheſter*.

Paſs'd the 24th of November, 1750.

Preamble.

WHEREAS many of the Commiſſioners for regulating and laying out High-ways in the County of *Weſtcheſter*, appointed in and by an Act, entitled, *An* Act *for the better clearing, regulating, and further laying out publick High-Roads in the County of* Weſtcheſter, paſſed in the Nineteenth Year of his Majeſty's Reign, are dead ſince the paſſing the ſaid Act; by which Means, the good Ends and Purpoſes intended thereby, may be defeated: For preventing whereof;

Commiſſioners appointed to lay out Roads, &c.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the ſeveral Perſons herein after named, *to wit*.

For *Weſtcheſter* and *Fordham*, *Edward Stephenſon*, *Joſhua Hunt*, and *Anthony Bartow*.

For

24th GEORGE II. A. D. 1750.

For *Eaſtcheſter*, *William Pinkney*, *John Burling*, and *Charles Vincent*.
For *New-Rochell* and *Pelham*, Col. *Anthony Liſpenard*, *Philip Pell*, and *Joſeph Rodman*.
For *Rye* and the *White-Plains*, Col. *William Willet*, *Jonathan Brown*, and *Gabriel Lynch*.
For *Mamaroneck*, *James De Lancey*, Eſq; *John Gedney*, and *Underhill Bud*.
For *Bedford*, *John Holmes*, *Abraham Miller*, and *Marcus Moeſman*.
For *North-Caſtle*, *George Dennis*, *Daniel Seaman*, and *James Weeks*.
For *Salem*, *Joſiah Gilbert*, *James Brown*, Eſq; and *Peter Benedict*.
For the Manor of *Cortlandt*, *Philip Verplank*, Eſq; *Hercules Lent*, and *Pier Van Cortlandt*.
For the Manor of *Philipſburgh*, *Frederick Philipſe*, Eſq; Major *Frederick Philipſe*, *Nathaniel Underhill*, and *James Van Cortlandt*, Eſq;

ſhall be, and hereby are appointed Commiſſioners, to regulate and lay out High-ways in the ſaid County, for the Places for which they are reſpectively appointed; and ſhall be, and hereby are veſted with as full Power and Authority for that End, to all Intents, Conſtructions and Purpoſes whatſoever, as if they had been actually named and appointed in and by the aforeſaid Act; any Thing therein contained to the contrary notwithſtanding.

CHAP. DCCCCVI.

An ACT *to impower the Juſtices of the Peace in the County of* Ulſter, *to order the raiſing of a Sum not exceeding the Sum of* One Hundred Pounds, *for repairing the Goals within the ſaid County.* Obſolete.

Paſs'd the 24th of November, 1750.

CHAP. DCCCCVII.

An ACT *to reviſe, digeſt, and print the Laws of this Colony.*

Paſs'd the 24th of November, 1750.

WHEREAS the Laws of this Colony have, from Time to Time, been very incorrectly printed, and irregularly bound up; which have often occaſioned ſuch Difficulties and Inconveniences, that the Legiſlature do conceive, the Reviſal of all the ſaid Laws from the happy Revolution, and the new Printing of them in one Body, on good Paper, will not only remove the ſaid Difficulties and Inconveniences, but be of great Uſe and Service to the Publick. AND WHEREAS *William Livingſton*, and *William Smith*, jun. have declared their Willingneſs, for the Conſideration herein after mentioned, to undertake to reviſe, digeſt and collect in one Volume, exact Copies of all the Laws in force in this Colony, from the ſaid Revolution, to the End of this preſent Seſſion of the General Aſſembly, being a Series of about Sixty Years, and to perform the Whole in Manner following, *That is to ſay*; Carefully to examine each Act with the Original in the Secretary's-Office; to make Search, where it may be neceſſary, in the Council Books, and in the Journals of the General Aſſembly, in order to diſtinguiſh what Acts have had the Royal Aſſent, what are repealed, and which remain probationary; to inſert in their Order, the Titles of all the Acts paſſed within the ſaid Series of Time, diſtinguiſhing if temporary, when revived, when expired, and when repealed; to diſtribute the Acts into Chapters, each Act into a Chapter, and each Chapter ſubdivided into Sections, and numbered; to abſtract the Subſtance of each Section in the Margin; to make of all this a compleat Preamble.

24th *GEORGE* II. A. D. 1750.

and fair Copy for the Preſs, and to examine it in tranſcribing; to ſuperviſe and correct the Preſs, with the utmoſt Exactneſs and Attention; to make an Index and Table of all the principal Matters in the Acts, alphabetically digeſted, with References to each Matter in every Act, Section and Page; to make References from one Act to another, where the Matter in one Act may have Relation to a head Matter in another. AND IN AS MUCH as ſeveral temporary Acts, and ſome others, may be wholly uſeleſs and unneſſary to be printed; the Legiſlature put Truſt and Confidence in them the ſaid *William Livingſton*, and *William Smith*, jun. to diſtinguiſh and determine the ſame; and in Caſe they ſhould be in Doubt thereof, they may apply to the Juſtices of the Supreme Court, or any of them, and govern themſelves accordingly, only taking Notice of the Title of ſuch Acts, when paſſed, and when expired.

Perſons appointed to reviſe the Laws, &c.

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That they the ſaid *William Livingſton* and *William Smith*, jun. ſhall be, and hereby are, fully authoriſed and appointed to do the ſaid Work; and for the better enabling them to perform the ſame in the Manner before mentioned, they ſhall and may, from Time to Time, have Recourſe to the Original Acts, the Council Books, and the Journals of the General Aſſembly.

When they produce a Certificate of the ſame being done, they ſhall receive the Sum of £. 280.

II. **And be it Enacted** *by the Authority aforeſaid,* That upon their, the ſaid *William Livingſton* and *William Smith*, jun. producing to the Treaſurer of this Colony, a Certificate, to be ſigned by the Governor, or Commander in Chief, for the Time being, and by three or more of the Council; as likewiſe by the Speaker of the General Aſſembly, for the Time being, certifying, That they take the ſame Work to be conformable to the true Intent and Meaning of this Act; the ſaid Treaſurer ſhall thereupon be, and hereby is impowered and required to pay unto them, the ſaid *William Livingſton* and *William Smith*, jun. or to their Aſſigns, the Sum of *Two Hundred and Eighty Pounds*, out of any Monies which ſhall then be in the Treaſury, granted, or to be granted for the Support of the Government of this Colony; any Law to the contrary thereof notwithſtanding: And a proper Receipt upon the ſaid Certificate, ſhall be to the Treaſurer a good Voucher and Diſcharge for the ſame.

A Printer appointed, and Manner in which the Work by him ſhall be compleated.

III. AND whereas *James Parker* has declared his Willingneſs, for the Conſideration hereafter mentioned, to undertake the Printing of the aforeſaid Work, on the beſt Paper, and large Folios, and with the uſual Types for ſuch Work; and to deliver one printed Book thereof, compleatly bound in Calves Skins, to the Governor, or Commander in Chief, for the Time being; one other for the Uſe of the Council; and one other for the Uſe of the General Aſſembly of this Colony: **Be it Enacted** *by the Authority aforeſaid,* That upon the ſaid *James Parker*'s producing to the Treaſurer aforeſaid, a Certificate from the Governor, or Commander in Chief, for the Time being, from the Council, and from the Speaker of the General Aſſembly, for the Time being, certifying, That they have reſpectively received the ſaid printed Books, compleatly bound as aforeſaid, according to the true Intent and Meaning hereof; the ſaid Treaſurer ſhall thereupon be, and hereby is impowered and required, to pay unto the ſaid *James Parker*, the Sum of *Twenty Shillings*, for every Sheet of Paper in the ſaid printed Book, ſo compleatly bound up, as aforeſaid, out of any Monies in the Treaſury, as aforeſaid; and a proper Receipt for the ſame, ſhall be to the Treaſurer a ſufficient Voucher and Diſcharge; provided the ſame do not exceed the Sum of *Twenty Shillings* for each Sheet, as aforeſaid.

IV. And

24th *GEORGE* II. A. D. 1750.

IV. **And be it Enacted** *by the Authority aforeſaid*, That one Act, entitled, *An* Act *to reviſe, digeſt, and print the Laws of this Colony, from the happy Revolution*, paſſed in the fifteenth Year of his preſent Majeſty's Reign, ſhall be, and hereby is repealed; and every Article, Clauſe, Matter and Thing therein contained, to be utterly void and of none Effect.

Chap. 721, repealed.

V. **Provided always, and be it Enacted** *by the Authority aforeſaid*, That in Caſe they, the aforeſaid *William Livingſton* and *William Smith*, jun. ſhall not fulfil, accompliſh and compleat the Work aforeſaid, by them undertook in Manner aforeſaid, on or before the firſt Day of *September* next enſuing; then and in ſuch Caſe, this Act, and every Clauſe, Article, Matter and Thing therein contained, ſhall be utterly Void and of none Effect; any Thing herein to the contrary notwithſtanding.

Time limited for compleating the Work.

The Nineteenth ASSEMBLY.

THIRD SESSION.

[*The foregoing Work contains the State of the* LAWS *of this Province, at the Paſſing of the laſt Act, which preſcribed the Method in which they were to be collected and publiſhed: But in this Seſſion, ſeveral other Acts were paſſed, of which the four following, by a Vote of the Houſe of Repreſentatives, of the Twenty-ſecond of* November, 1751, *were ordered to be added to thoſe already reviſed, and to be printed, and bound up with them accordingly*, viz.]

25th *GEORGE* II. A. D. 1751.

CHAP. DCCCCVIII.

An ACT *to prevent Frauds in Debtors.*

Paſs'd the 25th of November, 1751.

Preamble.

WHEREAS divers Perſons within this Colony, being indebted, and having Eſtates ſufficient to anſwer and diſcharge their ſaid Debts; but deſigning to defraud their Creditors of their juſt Dues, do ſecretly depart the Colony, and order their Effects to be ſold, their Debts collected, and the Produce thereof, ſent or remitted to them; or conceal themſelves in the Colony, in order to bring their Creditors to an unreaſonable Compoſition; by which evil Practices in Debtors, many Perſons (their Creditors) have been, and daily are great Sufferers, there being no Law in this Colony, for ſecuring the Eſtates of ſuch fraudulent Debtors, for the Uſe of their Creditors: For Remedy whereof for the Future;

On any Debtors abſconding, Creditors in £. 40, may make Oath of it before the Judges of the Supreme Court;

I. **Be it Enacted** *by the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That from and after the Publication of this Act, whenſoever it ſhall happen, that any Perſon or Perſons whatſoever, being indebted within this Colony, ſhall either ſecretly withdraw themſelves out of it, or conceal themſelves within the ſame, to prevent their Perſons from being arreſted; any one Creditor to whom the ſaid abſconding Perſon or Perſons, is or are indebted, in the Sum of *Forty Pounds*, or upwards; or any two, to whom he, ſhe, or they, is or are indebted, in the Sum of *Sixty Pounds*, or upwards; or any three, to whom he, ſhe, or they, is or are indebted, in

25th *GEORGE* II. A. D. 1751.

in the Sum of *Eighty Pounds*, or upwards, over and above all Diſcounts; may make Application to the Judges of the Supreme Court of this Province, for the Time being, or any one of them, and there make Affidavit or Affirmation, in Caſes where, by Law, an Affirmation is allowed, That the ſaid abſconding Perſon or Perſons, is or are indebted to him, her, or them, in the Sum of over and above all Diſcounts; and that he, ſhe, or they, do verily believe, that the ſaid abſconding Perſon or Perſons, is or are either departed the Colony, or conceal themſelves in it, with Intent and Deſign to defraud him, her, or them, and other Creditors, (if any ſuch there be) of their juſt Dues. Which Departure or Concealment, ſhall likewiſe be proved by two other credible Witneſſes: And then ſaid Judges, or any one of them, on ſuch Affidavit or Affirmation, and ſuch other Proof made, ſhall be, and hereby is and are fully impowered, authoriſed, and required, forthwith to iſſue his or their Warrant to the High-Sheriff of the City or County from whence the ſaid abſconding Perſon or Perſons departed; or to the High-Sheriff of any other City or County, (whoſe Departure ſhall be taken to be from his, her, or their laſt moſt uſual Place of Reſidence) commanding the Sheriff of the ſame, or any other City or County, to attach, ſeize, take, and ſafely keep, all the whole Eſtate, as well real as perſonal, of the ſaid abſconding Perſon or Perſons, of what Kind or Nature ſoever; and every, or any Part or Parcel thereof, in whatever Part of the Colony they can be found, with all Evidences, Books of Accounts, and Papers relating thereto: Which Warrant or Warrants, ſo to be iſſued, the reſpective Sheriff or Sheriffs, to whom the ſame ſhall be directed, are hereby required, authoriſed, and commanded, well and truly to execute, and forthwith to make (with the Aſſiſtance of two ſubſtantial Freeholders) a juſt and true Inventory of all ſuch Eſtate and Effects, as he ſhall ſeize and take, by Virtue thereof, and return the ſame, ſigned by himſelf, and the ſaid two Freeholders, to ſuch Judge or Judges, who iſſued the Warrant or Warrants for taking the ſame.

Who ſhall thereupon iſſue Warrants for Attachment of the Eſtate of ſuch Debtor.

Inventory of the Goods attached, to be made.

II. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Judge or Judges, immediately after iſſuing ſuch Warrant or Warrants, as aforeſaid, ſhall order Notice to be given in all the publick News-Papers in this Colony, That on Application made to him or them, by the Creditors of the ſaid abſconding Perſon or Perſons, he has directed all his, her, or their whole Eſtates, real and perſonal, to be ſeized; and that unleſs he, ſhe, or they, the ſaid abſconding Perſon or Perſons, do return and diſcharge his, her, or their Debts, within three Months next after ſuch publick Notice given, that all his, her, or their Eſtates, real and perſonal, ſo ſeized and taken, will be ſold for the Satisfaction of his, her or their Creditor or Creditors.

Notice of ſuch Attachment to be given in the News Papers.

III. **And be it further Enacted** *by the Authority aforeſaid*, That if any Debtor or Debtors, of the aforeſaid abſconding Perſon or Perſons, after the aforeſaid publick Notice given, ſhall pay the ſaid Debt or Debts, to the ſaid abſconding Perſon or Perſons, or to any Attorney or Attornies, or other Perſon or Perſons appointed by him, her or them; the ſaid Perſon or Perſons, ſo paying their ſaid Debts, ſhall be deemed and adjudged to have paid the ſame fraudulently, and in their own wrong; and hereby are made liable to anſwer the ſame, or the Amount thereof, to ſuch Perſon or Perſons who ſhall, by Virtue of this Act, be impowered to receive and diſpoſe of the Eſtate or Eſtates of the ſaid abſconding Perſon or Perſons, towards the Satisfaction of his, her, or their Creditors: And in Caſe the ſaid Perſon or Perſons, ſo indebted to the ſaid abſconding Perſon or Perſons, ſhall, after the aforeſaid Notice, be ſued by him, her or them, or by his, her, or their Order or Orders, Attorney or Attornies, for the ſaid Debt or Debts; he, ſhe or they, ſo ſued, may plead the general Iſſue, and give this Act in Evidence.

The Debtors of abſconding Perſons, making Payments after ſuch Notice, to the Attorney of Perſons abſconding, ſhall repay the ſame out of their own Eſtates.

IV. And

IV. **And be it further Enacted** *by the Authority aforeſaid*, That all Sales made by the ſaid abſconding Perſon or Perſons, of his, her or their Eſtates, Lands, Goods or Chattels, and all Powers of Attorney by him, her or them, for ſelling the ſame, and collecting of Debts, made after the ſaid publick Notice given; ſhall be, and hereby are declared to be null and void, to all Intents, Conſtructions and Purpoſes whatſoever; any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

All Sales, &c. of Perſons abſconding, to be void.

V. **And be it further Enacted** *by the Authority aforeſaid*, That if the ſaid abſconding Perſon or Perſons, do not return within *three Months* next after the firſt publick Notice given, and diſcharge his, her, or their Debt or Debts, or otherwiſe compound with, or ſatisfy his, her, or their Creditors; that then it ſhall and may be lawful, for the Judges of the Supreme Court of this Colony, for the Time being, or any one of them, and each of them, are hereby fully impowered and authoriſed, to nominate and appoint three fit Perſons, to be Truſtees for all the Creditors of the ſaid abſconding Perſon or Perſons; which Perſon or Perſons, ſo nominated and appointed, under the Hands and Seals of the ſaid Judges, or any one of them, ſhall be, and hereby are fully impowered and authoriſed, to take into their Hands, all the whole Eſtate or Eſtates, as well real as perſonal, and all Evidences, Books of Accounts, and Papers relating thereto, of the ſaid abſconding Perſon or Perſons, ſeized as aforeſaid, with all other his, her or their Effects, which they may afterwards diſcover in any Part of this Colony; to make Sale thereof by publick Outcry, after fourteen Days publick Notice, and of all the Intereſt which the ſaid abſconding Perſon or Perſons have, hath, or had in the ſame, and Deeds, Bills of Sale, and other Conveyances, to make and execute; and being ſo made and executed by them, or any two of them, for the ſame, or any Part or Parcel thereof, ſhall be, and hereby are declared, to be as good, valid and effectual, to transfer the Property thereof, to all Intents, Conſtructions and Purpoſes whatſoever, as if executed by the ſaid abſconding Perſon or Perſons themſelves, before the Making of this Act; and the ſame Deeds and Conveyances, and every of them ſo made and executed, for the Eſtate, real or perſonal, of ſuch abſconding Perſon or Perſons, or any Part or Parcel thereof, ſhall be good, valid and effectual, in the Law, to all Intents and Purpoſes whatſoever, againſt the ſaid abſconding Perſon or Perſons, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns whatſoever, and all claiming under them, or any of them, after the ſaid firſt publick Notice.

If the Perſons abſconding, do not return within 3 Months after Notice, or ſatisfy their Creditors; the Judges are to appoint Truſtees, for the Sale of ſuch Perſons Effects, &c.

VI. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Truſtees, or any two of them, ſo as aforeſaid appointed, ſhall immediately thereafter, cauſe publick Notice to be given in all the News-Papers of this Colony, of ſuch their Appointment, and therein require all Perſons indebted to the ſaid abſconding Perſon or Perſons, by a Day certain to be appointed by them in their ſaid Notice, to pay all ſuch Sum or Sums of Money, which they owe to the ſaid abſconding Perſon or Perſons, and deliver all other Effects which he, ſhe, or they, may have in their Hands, Power, or Cuſtody, to them the ſaid Truſtees; and the ſaid Truſtees ſhall be and hereby are enabled, and made capable, to ſue for, recover, and receive, in their own Name or Names, all ſuch Eſtate and Eſtates, as well real as perſonal, Debts and other Effects, as they ſhall find due or belonging to the ſaid abſconding Perſon or Perſons; and the ſame, when received, ſhall apply as ſhall be herein after directed. And in Caſe any Perſon or Perſons, indebted to the ſaid abſconding Perſon or Perſons, or having other Effects of his, her, or their's, in his, her or their Hands, ſhall conceal the ſame, and not deliver a juſt Account thereof to the ſaid Truſtees, by the Day appointed by them, as aforeſaid; they ſhall forfeit double the Sum of the ſaid Debt or Debts, or Value of the other Effects ſo concealed;

Such Truſtees to give Notice in the News Papers, for all Perſons indebted to the Perſon abſconded, to pay the ſame.

Such Debtors as refuſe, to forfeit double the Value of their Debts, to be ſued for by ſuch Truſtees.

25th *GEORGE* II. A. D. 1751.

concealed; to be recovered by the ſaid Truſtees, in any Court of Record within this Colony, and applied as herein after directed; which ſaid Courts, are hereby fully impowered to compel to come before them, all ſuch Concealers, and others concerned, and them to examine upon Oath, touching the Premiſſes, and to commit them, if they refuſe to be ſo examined: And the ſaid Truſtees, or any two of them, ſhall be, and hereby are fully impowered, to ſettle and adjuſt all Matters and Accounts that may be ſubſiſting between the ſaid abſconding Perſon or Perſons, and his, her, or their Debtor or Debtors; and alſo between the ſaid abſconding Perſon or Perſons, and his, her, or their Creditor or Creditors; and to examine any Perſon or Perſons upon Oath, concerning ſuch Accounts and Settlements; which Oath the ſaid Truſtees, or any two of them, are hereby impowered and required to adminiſter.

The Truſtees impowered to adjuſt all Affairs between Debtors that abſcond, and thoſe indebted to them, *&c.*

VII. **And be it further Enacted** *by the Authority aforeſaid*, That any Perſon or Perſons, (other than thoſe who have the Effects in their Hands) who ſhall diſcover any Effects of the ſaid abſconding Perſon or Perſons, ſo concealed, contrary to the true Intent and Meaning of this Act, ſo that they be recovered by the ſaid Truſtees; ſhall be, and hereby are intitled to *Ten per Cent.* on the Value of all Effects ſo diſcovered and recovered; to be paid to them by the ſaid Truſtees.

Any Perſon diſcovering ſecreted Effects, is intitled to 10 *per Cent.*

VIII. **And be it further Enacted** *by the Authority aforeſaid*, That when the ſaid Truſtees, or any two of them, have converted all the Eſtate or Eſtates of the ſaid abſconding Perſon or Perſons, into Money, and have collected all the Debts due to him, her, or them, which have been in their Power, or come to their Knowledge; in the doing whereof, they ſhall not exceed twelve Months from their firſt Appointment; they ſhall cauſe publick Notice to be given in all the News-Papers of this Colony, that they are ready to make a Dividend among the Creditors, of the ſaid abſconding Perſon or Perſons Eſtate (under which Head ſhall be included, the Forfeiture for concealing Debts or other Effects) and therein deſire all the ſaid Creditors to meet at a certain Time and Place, by them, the ſaid Truſtees, to be appointed, which ſhall not be leſs than two, nor more than three Months after the ſaid Notice given: At which Meeting, or other ſubſequent Meetings, neceſſary for that Purpoſe, to be continued by Adjournments, when all Accounts are fairly ſtated and adjuſted, they ſhall proceed to pay all the Creditors what ſhall appear to them to be juſtly due, if there be Money ſufficient to anſwer the Whole, after all legal Charges are deducted; in which Payments, no Preference is to be allowed to Debts due on Specialties: And if there be not ſufficient to diſcharge the Whole, each Creditor ſhall be abated in Proportion to the Debt due to him; and if there be any Surplus, the ſame ſhall be paid unto the ſaid abſconding Perſon or Perſons, or to his, her, or their Attorney or Attornies, or to his, her, or their Executors, Adminiſtrators, or Aſſigns: And the ſaid Truſtees ſhall render unto the Supreme Court, a juſt and true Account, upon Oath, of all their Proceedings in the Premiſſes, by Virtue hereof, to be filed in the ſaid Court, for the Satisfaction of all Parties concerned. *Always Provided*, That no Sale ſhall be made of any Lands, Tenements, or Hereditaments, where the perſonal Effects ſeized, or which may be ſeized, are ſufficient to ſatisfy the Demands of all the Creditors, with Coſts; and that no more of the Effects of any Perſon or Perſons, ſhall be ſold, than may be deemed, as near as may be, ſufficient to ſatisfy ſuch Demands, with Coſts; and all the remaining Part of the Effects ſeized, together with the Overplus Money, (if any there be) ſhall, by the ſaid Truſtees, be delivered back to the Owner or Owners thereof, or to his, her, or their Attorney or Attornies, Executors, Adminiſtrators, or Aſſigns.

When the Truſtees have converted the Eſtate of Perſons abſconding, into Money, they are to give Notice thereof, and make a Dividend, *&c.*

Within three Months after Notice given, the Truſtees to pay the Creditors as far as the Money will go.

What ſhall be done when there's a *Deficiency*, or *Overplus.*

Truſtees to file an Account of their Proceedings in the Supreme Court.

Real Eſtate not chargeable, if the perſonal Eſtate is ſufficient to ſink all the Demands.

IX. And

IX. **And be it further Enacted** *by the Authority aforeſaid*, That the ſaid Truſtees ſhall retain in their Hands, for the ſeveral Services to be performed by them, and others, by Virtue of this Act, the Sum of *Five per Cent.* on the whole Sum which ſhall come into their Hands, by Virtue thereof, before any Dividend made; and be by them paid accordingly.

The Truſtees to retain 5 *per Cent.* for their Services.

X. AND whereas Perſons who dwell out of this Colony, may be indebted here, and have Eſtate and Effects ſufficient, within the ſame, to pay and ſatisfy their ſaid Debts; **Be it alſo Enacted** *by the Authority aforeſaid*, That the Goods, Chattels and Effects of all ſuch Perſon and Perſons (ſo indebted) as, after the Publication of this Act, may dwell and reſide out of this Colony, ſhall alſo be ſubject and liable to be taken, ſeized, proceeded againſt, and diſpoſed of, for the Payment and Satisfaction of ſuch of their ſaid Debts, as ſhall be contracted after the Publication of this Act, as near as may be, in the ſame and like Manner, as the Eſtates and Effects of other Debtors, in and by this Act, are made ſubject and liable to. *Provided always*, That the Owner or Owners thereof, or his, her, or their Attorney or Attornies, Factors or Agents, ſhall and may have a Year and a Day allowed them, from the Time of ſuch Seizure, to redeem their ſaid Goods, Chattels, and Effects, and pay their Debts, upon giving ſufficient Security to the Creditor or Creditors, to anſwer the Value of ſaid Goods, with the Coſts.

The Goods of Perſons reſiding out of the Province ſubject to Seizure.

Provided the Owner has a Year and a Day to redeem them.

XI. **And be it further Enacted** *by the Authority aforeſaid*, That the Judges of the Inferior Courts of Common-Pleas, within the ſeveral Counties of this Colony, ſhall be, and hereby are impowered and authoriſed, to put this Act in Execution, in their reſpective Counties, in all Caſes happening within the ſaid Counties reſpectively, where the Sums due to any one Creditor applying for Relief, are not under *Five Pounds*, and do not exceed *Forty Pounds*; any Thing in this Act before contained, to the contrary notwithſtanding. *Provided always*, That where Warrants have iſſued from the Judges, both of the Supreme and Inferior Courts, that then, and in that Caſe, the Judges of the Supreme Court, or any one of them, ſhall award a Writ or Writs, of *Certiorari*, to the Judges of the Inferior Courts, to remove and return the Proceedings there, to the Judges of the Supreme Court, that they may proceed on both Warrants, or either of them.

Judges of Inferior Courts in the Counties, impowered to put this Act in Execution for Debts above £. 5, and under £. 40. Where Warrants ſhall iſſue from the Judges of both Courts, a *Certiorari* ſhall be, to remove the Proceedings of the Inferior Judges, before the Judges of the Supreme Court.

XII. **And be it alſo Enacted** *by the Authority aforeſaid*, That the Judge or Judges granting Warrants purſuant to this Act, ſhall make Report thereof, to the next Court, of which he or they is or are Judge or Judges, and of the Notice thereon ordered; of the Publication of the Notice, and of all other Things required of them by this Act, to be done out of Court; and cauſe that Report to be entered in the Minutes of the Court, to be Evidence of the Facts ſo reported.

Judges granting Warrants purſuant to this Act, to make proper Reports thereof to the Court.

XIII. **And be it further Enacted** *by the Authority aforeſaid*, That the Truſtees to be appointed by Virtue of this Act, ſhall take an Oath, or Affirmation in Caſes where by Law an Affirmation is allowed; *well and truly to execute the Truſt repoſed in them, according to the beſt of their Skill and Underſtanding*; which Oath or Affirmation, the Judge or Judges appointing the ſaid Truſtees, is, and are hereby required to adminiſter.

The Truſtees to take an Oath for the true Performance of their Duties.

XIV. **And be it further Enacted** *by the Authority aforeſaid*, That the Truſtees to be appointed by this Act, ſhall be ſubject to ſuch Orders and Directions, as ſhall from Time to Time, be made in the Supreme Court, for

And be ſubject to Orders of Courts.

25th *GEORGE* II. A. D. 1751.

the more effectual putting the Powers in this Act in Execution, or in the Inferior Courts of Common-Pleas, where the Warrant iſſued from the Judges of ſuch Courts.

This Act to be conſtrued to the Advantage of Creditors, and to continue to the firſt of *January*, 1754.

XV. **And be it further Enacted** *by the Authority aforeſaid*, That this Act ſhall be conſtrued beneficially for the Creditors, in all Courts of Juſtice within this Colony; and be and remain in Force, from the Publication thereof, until the firſt Day of *January*, which will be in the Year of our Lord One Thouſand Seven Hundred and Fifty-four.

CHAP. DCCCCIX.

An ACT *for veſting in Truſtees, the Sum of* Three Thouſand Four Hundred and Forty-three Pounds, Eighteen Shillings, *raiſed by Way of Lottery, for erecting a College within this Colony.*

Paſs'd the 25th of November, 1751.

Preamble.

WHEREAS the Sum of *Three Thouſand Four Hundred and Forty-three Pounds, Eighteen Shillings*, has been raiſed within this Colony, by Way of Lottery, for erecting a College for the Education of Youth, within the ſame; which Sum being not conceived ſufficient, without further Addition, to anſwer the ſaid End of erecting, compleating, and eſtabliſhing a College for the Advancement of uſeful Learning, it is conceived neceſſary, that Truſtees be appointed, as well for the ſetting at Intereſt the ſaid Sum of *Three Thouſand Four Hundred and Forty-three Pounds, Eighteen Shillings*, already raiſed for the ſaid Purpoſe, as for receiving the Contributions and Donations of ſuch Perſons as may be charitably diſpoſed, to be Benefactors and Encouragers of ſo laudable an Undertaking:

Truſtees named for managing the Money raiſed, &c. for erecting a College;

I. **Be it therefore Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That the eldeſt Councellor reſiding in this Colony, the Speaker of the General Aſſembly, and the Judges of the Supreme Court, the Mayor of the City of *New-York*, and the Treaſurer of this Colony, for the Time being, together with *James Livingſton*, Eſq; Mr. *Benjamin Nicoll*, and Mr. *William Livingſton*, or the Survivor or Survivors of them, the ſaid *James Livingſton, Benjamin Nicoll*, and *William Livingſton*, ſhall be, and hereby are appointed Truſtees for managing the ſaid Sum of *Three Thouſand Four Hundred and Forty-three Pounds, Eighteen Shillings*, and for managing any other Sum or Sums of Money, Lands, Goods, or Chattels, which may be contributed or given, by any Perſon or Perſons whatſoever; to be imployed for the ſaid Uſe and Purpoſe, of erecting, compleating, and eſtabliſhing a College, for the Advancement of Learning, within this Colony: All which ſaid Sum and Sums of Money, they, the ſaid Truſtees, and the major Part of them, and of the Survivors of them, ſhall be, and hereby are impowered, required, and directed, to put out at Intereſt, yearly, and every Year, together with the Intereſt ariſing thereon, until the ſame ſhall be employed for the Uſe and Purpoſe of erecting and eſtabliſhing a College for the Advancement of Learning, within this Colony, in ſuch Manner as ſhall, by ſome Act or Acts hereafter to be paſſed for that Purpoſe, be directed.

Which they ſhall put out at Intereſt.

II. And

II. **And be it further Enacted** *by the Authority aforeſaid*, That if any Lands, Tenements, or Hereditaments, ſhall be given by any Perſon or Perſons whatſoever, towards founding the ſaid College, the aforeſaid Truſtees, and the major Part of them, and of the Survivors of them, ſhall be, and hereby are enabled, to let the ſame to farm, to the beſt Advantage, for advancing the ſaid Undertaking, rendering the Rent to the Treaſurer of this Colony, for the Time being, for the Uſe and Purpoſe aforeſaid.

And let out Lands, &c. that may be given for the ſaid College.

III. **And be it further Enacted** *by the Authority aforeſaid*, That the Treaſurer of this Colony ſhall, and he is hereby required and directed, to pay to the Borrowers, ſuch Sum and Sums of the Money aforeſaid, from Time to Time, as ſhall be ſpecified in the Securities by them to be given, with the Conſent of the major Part of the Truſtees aforeſaid, or of the Survivors of them; which Securities ſhall be, in the Names of two or more of the Truſtees aforeſaid conſenting, with Conditions for the Payment of the Money and Intereſt there-from ariſing, to the Treaſurer of this Colony, for the Time being, for the Uſe and Purpoſe aforeſaid: And ſuch Securities, given as aforeſaid, ſhall be to the ſaid Treaſurer, good Vouchers and Diſcharges for the Sums paid thereon by him, and therein mentioned.

The Treaſurer with Conſent of the major Part of the Truſtees, to pay the Money in his Hands, to the Borrowers.

IV. **And be it further Enacted** *by the Authority aforeſaid*, That the aforeſaid Truſtees ſhall be, and hereby are enabled, to receive Propoſals from any of the Cities or Counties within this Colony, which ſhall be deſirous of having the ſaid College erected within their ſaid Cities or Counties, touching the placing or fixing the ſame therein, reſpectively; and the ſaid Truſtees, and every of them, ſhall be, and hereby are required, to render a juſt and true Account on Oath, of all their Proceedings in the Premiſſes, to the Governor, Council, and General Aſſembly, when by them, or any of them, thereunto required.

The Truſtees to receive Propoſals about erecting a College, and to render Account on Oath of all their Proceedings.

CHAP. DCCCCX.

An ACT *for mending and keeping in repair the publick Road or High-way, from the Houſe of* John Horne, *in the Bowry Diviſion of the Out-Ward of the City of* New-York, *through* Bloomendale *Diviſion in the ſaid Ward, to the Houſe of* Adrian Hoogelandt.

Paſs'd the 25th of November, 1751.

WHEREAS in Purſuance of an Act, made and paſſed in the ſecond Year of the Reign of our late Sovereign Lady Queen ANNE, entitled, *An* ‡ Act *for the laying-out, regulating, clearing, and preſerving publick common High-ways throughout this Colony*; the Commiſſioners therein named, for the City and County of *New-York*, did lay out a Road of the Breadth of four Rods, from the now Dwelling-Houſe of *John Horne*, thro' *Bloomendale* Diſtrict or Diviſion, to the now Dwelling-Houſe of *Adrian Hoogelandt*: And whereas the Inhabitants of the ſaid *Bloomendale* Diſtrict or Diviſion, who are but few in Number, have been under great Hardſhips, not only by keeping the ſaid Road in repair, (which is double the Breadth neceſſary) but alſo by having been obliged to work on the Repairing the Poſt-Road between *New-York* and *King's-Bridge*; wherefore, in order to remedy the ſaid Hardſhips, and for the better keeping in repair the aforeſaid Road or High-way;

‡ Chap. 131.

Preamble.

25th GEORGE II. A. D. 1751.

The Seſſions in *New-York*, to appoint a Surveyor of the Road in *Bloomendale* Diviſion,

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame,* That the Juſtices of the Peace for the City and County of *New-York*, at their general Quarter Seſſions, to be held for the ſaid City and County, in the Month of *February* next, after the Publication hereof, and ſo in the ſaid Seſſions, in the Month of *February*, in every Year; ſhall nominate and appoint one ſufficient and able Perſon, inhabiting within the Diſtrict or Diviſion of *Bloomendale* aforeſaid, to be the Surveyor of the ſaid publick Road or High-way, from the Houſe of *John Horne*, through the Diſtrict or Diviſion of *Bloomendale* aforeſaid, to the Houſe of *Adrian Hoogelandt* aforeſaid, for the Year from thence next enſuing; and that the ſaid Juſtices ſhall cauſe Notice to be given to the ſaid Surveyor ſo appointed, in Writing, of ſuch their Appointment: And in Caſe of Death, or Refuſal of any Surveyor ſo appointed, any two or more of the Juſtices of the Peace for the ſaid City and County, (whereof one to be of the *Quorum*) under their Hands and Seals, ſhall appoint another in his Place; which ſaid Surveyor, ſo firſt to be appointed, within twenty Days after Notice given to him of his Appointment, ſhall, and he is hereby required, to view and ſurvey the ſaid Road or High-way, and lay out the ſame of the Breadth of two Rods, as the ſame now runs; and that the ſaid firſt, and every other Surveyor ſo to be appointed, within twenty Days after Notice given to him of his Appointment, ſhall, and they are hereby required to view and examine the ſaid Road, and conſider the Defects thereof, and the beſt Method and Means that can be uſed, for the clearing, levelling, repairing, and making good the ſame; and that within ten Days after ſuch View had, the Surveyor for the Time being, ſhall ſummon and give Notice to ſuch and ſo many of the Inhabitants of the Diſtrict or Diviſion of *Bloomendale* aforeſaid, as the ſaid Surveyor ſhall think neceſſary, at ſuch Times, Seaſons and Places, and for ſo long Time (not exceeding three Days at any one Time) as the ſaid Surveyor ſhall think neceſſary, to meet and convene, with Carts, Carriages, Shovels, Spades, Pick-axes, Mattacks, and other Tools and Inſtruments, as, by the ſaid Surveyor, ſhall be thought neceſſary, for the amending, clearing, repairing, and making good the ſaid Road or High-way, within the Diſtrict and Limits herein before ſet forth; and all and every ſuch Perſon and Perſons ſummoned, or having Notice as aforeſaid, that ſhall not, either themſelves, or a ſufficient working Hand for them, meet at the Time and Place ſo appointed, and obey and perform ſuch Orders and Directions as the ſaid Surveyor ſhall give, concerning the amending the ſaid Road or High-way, ſhall forfeit and pay the Sum of *Six Shillings*, current Money of *New-York*, for every Day's Default; to be recovered before any Juſtice of the Peace, with Coſts, in the ſame Manner that Debts under *Forty Shillings*, are now by Law recoverable: And that every Team or Waggon, with a Man to manage the ſame, which the ſaid Superviſor ſhall have Occaſion to uſe in repairing the ſaid Road or High-way, ſhall be eſteemed in the Place of three Days Labour of one Workman; and that every Perſon having Notice as aforeſaid, and not appearing with ſuch Team or Waggon, as aforeſaid, ſhall forfeit and pay the Sum of *Eighteen Shillings*, like Money, for every Day's Default; to be recovered in Manner aforeſaid: All which Forfeitures ſhall be paid to the ſaid Surveyor, and ſhall be by him applied and diſpoſed of in repairing the Road or High-way aforeſaid: *Provided always*, That the Surveyors from Time to Time, to be appointed as aforeſaid, ſhall employ the Inhabitants of the Diſtrict or Diviſion aforeſaid, juſtly, equally, and in their Turns, every Year, and that no Perſon be compellable to work above ſix Days in any one Year, upon the ſaid Road or High-way; nor at any Time in Seed Time, or in the Time of Hay or Corn Harveſt; and that none of the Inhabitants of the ſaid Diſtrict or Diviſion of *Bloomendale*, ſhall be obliged, or compellable after the Publication of this Act, to work upon the Poſt Road leading

Who ſhall view and ſurvey the ſaid Road;

And ſummon the Inhabitants to keep the ſame in Repair.,

Penalty on Perſons refuſing to work on ſaid Road.

Inhabitants to work equally, and not above ſix Days in a Year, nor in Harveſt, nor on the Road from *New-York* to *Kings-Bridge*.

leading from *New-York* to *King's-Bridge*; any former Law, Uſage or Cuſtom, to the contrary thereof in any wiſe notwithſtanding.

II. **And be it further Enacted** *by the Authority aforeſaid*, That every Surveyor that ſhall be ſo appointed in Manner aforeſaid, who ſhall refuſe or neglect, to do and perform the Duties and Services required by him and them, in and by this Act, ſhall forfeit the Sum of *Five Pounds*, current Money aforeſaid; to be recovered by Action of Debt, Bill, Plaint or Information, in any Court of Record held within the City and County aforeſaid, with full Coſts of Suit; one third Part to the Informer, who ſhall proſecute the ſame to Effect; and the other two Thirds thereof, to be employed by the next ſucceeding Surveyor, in the repairing the Road or High-way aforeſaid.

Penalty on Surveyors neglecting their Duty.

CHAP. DCCCCXI.

An ACT *to fix and aſcertain the Place for Elections of Repreſentatives, to ſerve in General Aſſembly for the County of* Weſt-cheſter.

Paſs'd the 25th of November, 1751.

WHEREAS the County of *Weſt-cheſter* is very extenſive, and the extreme Parts thereof, to the Northward, have, of late Years, become very populous; and whereas the Elections for Repreſentatives, to ſerve in General Aſſembly, for the ſaid County, have, from the firſt Settlement of the ſaid County, been held at the ſouthern Part of ſaid County; it now becomes extremely inconvenient for the Freeholders of the upper or northern Parts thereof, which are now become, by far, the moſt numerous, to attend thoſe Elections at ſo great a Diſtance from their reſpective Habitations: For Remedy whereof for the Future;

Preamble.

I. **Be it Enacted** *by his Excellency the Governor, the Council, and the General Aſſembly, and it is hereby Enacted by the Authority of the ſame*, That in all Elections hereafter to be made, in the ſaid County of *Weſt-cheſter*, for electing Repreſentatives, to ſerve in this, or any future General Aſſembly of this Colony, the Sheriff of the ſaid County, for the Time being, or his Deputy, ſhall hold his Court of Election, at or near the Preſbyterian Meeting-Houſe, in the *White-Plains*, in the ſaid County, and at no other Place whatſoever; any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

The Election to be at the *White-Plains*.

II. **And be it further Enacted** *by the Authority aforeſaid*, That if any Sheriff of the ſaid County of *Weſt-cheſter*, or Deputy of the ſaid Sheriff, ſhall, after the Publication of this Act, in the Execution of any Writ or Writs for the electing Repreſentatives for the ſaid County, to ſerve in this, or any future General Aſſembly, act contrary to the Directions, and true Intent and Meaning of this Act; they ſhall reſpectively forfeit the Sum of *One Hundred Pounds*; to be recovered in any Court of Record within this Colony, by any Perſon aggrieved; and the ſaid Election, ſo made, contrary to the Directions and true Intent and Meaning of this Act, ſhall be null and void to all Intents, Conſtructions, and Purpoſes whatſoever.

Penalty on Sheriff, &c. acting contrary to this Act, £. 100.

[*Here*

25th *GEORGE* II. A. D. 1751.

[*Here the Work aſſigned us by the Legiſlature, ends; but as it might be ſatisfactory to the Public, we thought it proper to give a Liſt of the Titles of all the other Acts that paſſed in this Seſſion, tho' we could not take upon us to print the Acts at large.*]

CHAP. DCCCCXII.

Limited to the 1ſt of January, 1756.

An ACT *for the better clearing and further laying out publick High-Roads in the County of* Ulſter.

Paſs'd the 25th of November, 1751.

CHAP. DCCCCXIII.

Limited to the 1ſt of January, 1753.

An ACT *to prevent the Breaking, or otherwiſe injuring Glaſs Lamps in the City of* New-York.

Paſs'd the 25th of November, 1751.

CHAP. DCCCCXIV.

An ACT *to let to farm the Exciſe on Strong Liquors retailed in this Colony, for one whole Year, to commence from the firſt Day of* January *next.*

Paſs'd the 25th of November, 1751.

CHAP. DCCCCXV.

An ACT *to enable the Superviſors of* Richmond *County, to raiſe the Sum of* Sixty Pounds, *for building a Dwelling-Houſe adjoining to the Goal of ſaid County, for the Reſidence of the Keeper of ſaid Goal.*

Paſs'd the 25th of November, 1751.

CHAP. DCCCCXVI.

Private.

An ACT *to raiſe, levy, and collect the Sum of* Sixty-ſix Pounds, *in the City and County of* New-York, *for the Services therein mentioned.*

Paſs'd the 25th of November, 1751.

CHAP. DCCCCXVII.

Limited to the 1ſt of January, 1753.

An ACT *for the Relief of inſolvent Debtors, with Reſpect to the Impriſonment of their Perſons, in the City of* New-York.

Paſs'd the 25th of November, 1751.

CHAP. DCCCCXVIII.

The Acts hereby continu'd *are* Ch. 703 *and* Ch. 841; *and their Continuance by this Act, is to the 1ſt of* January, 1753.

An ACT *to continue the two Acts therein mentioned, for and towards ſupporting the Government of this Colony.*

Paſs'd the 25th of November, 1751.

CHAP.

CHAP. DCCCCXIX.

25th GEORGE II. A. D. 1751.

See Chap. 779. *This* Continuance *is to the* 1st *of* January, 1760.

An ACT *further to continue an Act, entitled,* An *Act* to reſtrain Hawkers and Pedlars, within this Colony, from ſelling without Licence.

Paſs'd the 25th of November, 1751.

CHAP. DCCCCXX.

An ACT *for the Payment of the Salaries and Services of the Government, until the firſt Day of* September, *One Thouſand ſeven Hundred and Fifty-two.*

Paſs'd the 25th of November, 1751.

CHAP. DCCCCXXI.

Private.

An ACT *for naturalizing* Piere Vallarde, Mary Elizabeth Vallarde, Mary Elizabeth Colonge, *Widow of* Diſleau, Johannes Coſſman, *and* Ernſt Houtſchilt.

Paſs'd the 25th of November, 1751.

[*After paſſing the Acts of this Seſſion, his Excellency* diſſolved *the General Aſſembly; and thus ended the* NINETEENTH ASSEMBLY.]

INDEX

TO THE

LAWS of *NEW-YORK.*

Accounts.

CHAP. 862, page 409, § 1.
COMMISSIONERS appointed to ſee the publick Accounts ſtated, from the Year 1713, to 1ſt *September*, 1750.
§ 2. The Clerk of the Aſſembly to examine the publick Accounts.
§ 3, page 410. The Treaſurer to ſhew his Accounts to the Commiſſioners Clerks.
§ 4. The Clerks Reward.

Actions.

See alſo COURTS.

CHAP. 198, page 79, § 1; and CHAP. 799, page 356, § 1.
NO Action under £. 20, to be removed from the Mayors Courts, *&c. Provided* it does not relate to the Title of Lands.

CHAP. 198, page 79, § 2.
The Juſtices and others, having Cognizance of Pleas, to the Value of 40 *ſ.* may cauſe their Judgments to be put in Execution, *&c.*
§ 3, page 80. The Conſtables to put ſuch Judgments in Execution; and the Sheriff and Goaler to receive and keep the Party in ſafe Cuſtody.

Adminiſtration.

See INTESTATES ESTATES.

Affidavits.

CHAP. 824, page 372, § 1.
PERSONS to be impowered by the Judges of the Supreme Court, to take Affidavits in the Counties; which ſhall be as valid as Affidavits taken in the ſaid Court: And the Fee of the Commiſſioners be equal to that of the Judges.

Albany. *(City of)*

CHAP. 454, page 164. § 1.
THE Mayor and Aldermen not to raiſe more than £. 60, for their publick Charge.
§ 2. The Manner of raiſing it.
§ 3. The Oaths to be taken by the Aſſeſſors and Collectors.
§ 4, page 165. Their Puniſhment for Neglect of Duty.
§ 5. The Manner of recovering the Rates aſſeſſed.

Albany. *(County of)*

See TAXES.

Alleys.

See BUILDINGS.

Apprentices.

See INN-HOLDERS.

Arſon.

See SLAVES.

Aſſembly.

See { ELECTION. / REPRESENTATIVES.

CHAP. 746, page 315, § 1.
NO General Aſſembly to continue longer than ſeven Years, from the Day on which they are appointed to meet.

Aſſeſſors.

See alſo COUNTY CHARGE.

CHAP. 133, page 55, § 1.
TWO Aſſeſſors to be annually choſen in each Town, Manor and Precinct.

CHAP. 150, page 67, § 1.
The Freeholders of the Manor of *Renſelaerwyck*, annually to chuſe a Superviſor, Treaſurer, Aſſeſſor and Collector.

CHAP. 163, page 70, § 2.
The Freeholders, *&c.* of the Manor of *Renſelaerwyck*, ſhall yearly chuſe three Aſſeſſors, *&c.*

CHAP. 192, page 78, § 1.
All Acts impowering Juſtices of the Peace to take Cognizance of Aſſeſſments, or impriſon any Aſſeſſors, under Colour of a partial Aſſeſſment, after the 5th of *April*, 1709, to be void.

CHAP. 195, page 79, § 1.
On the Death of any Aſſeſſor, any Manor, Town, *&c.* ſhall, within ten Days, chuſe another in his Place; or elſe to be nominated by the Juſtices.

CHAP. 223, page 87, § 1.
The Inhabitants of *Iſlip*, in the County of *Suffolk*, to chuſe annually two Aſſeſſors.

CHAP. 333, page 121, § 2.
The Inhabitants of the Manor of *Livingſton* impowered to elect yearly one Aſſeſſor,

CHAP. 379, page 134, § 1.
The Inhabitants of *Haverſtraw* impowered to chuſe annually two Aſſeſſors.

CHAP. 537, page 184, § 4.
The Inhabitants of *Shelter-Iſland* impowered to chuſe annually two Aſſeſſors.

Attachment.

See DEBTORS.

Attornies.

CHAP. 305, page 117, § 3.
NO Attornies, in *New-York*, to be choſen Conſtables or Collectors.

CHAP. 824, page 372, § 2.
The Attornies in the Supreme Court, may practiſe in the Mayor's Court of *New-York*.

Bail.

See LAW.

Baptiſm.

See SLAVES.

Barrels.

See CASKS.

Black-Birds.

CHAP. 172, page 72, § 1.
THE Reward for deſtroying Black-Birds and their Young, in *Suffolk* County, *Queen's* County, and *King's* County.

Beekman's Precinct.

See PRECINCT.

Brandy.

See { DUTIES. / LIQUORS.

Beef and Pork.

CHAP. 698, page 279, § 1.
ALL Barrels of good Beef and Pork, repacked in the City of *New-York*, ſhall be branded, N. YORK; and all Barrels of Beef and Pork found otherwiſe, or of the Produce of *Maryland*, *Virginia*, or *North-Carolina*, with the Letter M. or V. or with the Letters N. C. as the Caſe may happen; and Barrels of unmerchantable Beef or Pork, the Packers ſhall not brand at all.

§ 2. The Packer's Oath.

§ 3, page 280. The Barrels to contain, at leaſt, 31 Gallons, and made fit to hold Pickle; and in each Barrel of Pork, the Packers not to put more than four half Hoggs

Hoggs Heads; nor more than two Shins, in each Barrel of Beef; and each Barrel to be twice trodden down and ſalted, with not leſs than half a Buſhel of Salt.

§ 4. The Packers, for every Offence, to forfeit £. 5; the one Half to the Informer, the other to the Poor.

§ 5. Unſound Beef and Pork, mixed with that branded with the *New-York* Brand, to be forfeited; the one Half to the Informer, the other to the Poor; and the Perſon intermixing the ſame, to forfeit double the Value of the Beef and Pork, *&c.*

CHAP. 759, page 324, § 1.

The Re-packers of *New-York*, may brand half Barrels of Beef and Pork, containing 15 Gallons and a half, *&c.*

§ 2. The Mayor, *&c.* to adminiſter to them the Oath of Office.

Bills of Credit.

CHAP. 190, page 76.

AN Emiſſion of them, to the Value of £. 5000.

CHAP. 231, page 88.

Another Emiſſion, to the Value of 25,000 Ounces of Plate.

CHAP. 280, page 100.

Another Emiſſion, to the Value of £. 27,680.

CHAP. 292, page 108.

Another Emiſſion, to the Value of 1500 Ounces of Plate.

CHAP. 347, page 124.

Another Emiſſion, to the Value of 41,517 and a half Ounces of Plate.

CHAP. 396, page 139.

Another Emiſſion, to the Value of 5000 Ounces of Plate.

CHAP. 437, page 153.

Another Emiſſion, to the Value of 5350 Ounces of Plate.

CHAP. 447, page 156.

Another Emiſſion, to the Value of £. 6630.

CHAP. 450, page 159.

Another Emiſſion, to the of Value £. 3000.

CHAP. 492, page 174.

Another Emiſſion, to the Value of £. 3000.

CHAP. 551, page 188.

Another Emiſſion, to the Value of £. 3000.

CHAP. 625, page 225.

Another Emiſſion, to the Value of £. 12,000.

CHAP. 666, page 243.

Another Emiſſion, to the Value of £. 48,350.

CHAP. 676, page 270.

Another Emiſſion, to the Value of £. 10,000.

CHAP. 825, page 377.

Another Emiſſion, to the Value of £. 13,000.

CHAP. 832, page 385.

Another Emiſſion, to the Value of £. 40,000.

CHAP. 854, page 401.

Another Emiſſion, to the Value of £. 28,000.

CHAP. 861, pages 406, 407, § 1.

Commiſſioners appointed to cancel Bills of Credit; and a Repeal of all former Powers to cancel them.

§ 2 and 3. The Method to be taken, and the Times for cancelling them; and Penalty for Omiſſions.

§ 4. The Method to be taken by the Province Treaſurer for procuring Bills to be cancelled.

§ 5, page 408. An Alteration of the Method of cancelling Bills emitted by the Loan-Office Act.

§ 6. An Advertiſement, of the Times of cancelling, to be annually publiſhed by the Treaſurer.

§ 7. The Speaker to publiſh in the Votes of Aſſembly, yearly, the State of the Funds for cancelling Bills.

§ 8 and 9, page 409. The Reward of the Commiſſioners, and the Manner of ſupplying a Vacancy, in Caſe of Death, *&c.*

CHAP. 880, page 416, § 6.

The Currency of the Bills of Credit, ſtruck by the Tonnage Act, continued to the firſt of *January*, 1760.

Bloomendale Diviſion.

See HIGH-WAYS *in* New-York.

Bricks.

CHAP. 138, page 59, § 5 and 6.

ALL Bricks, except Well Bricks, to be nine Inches in Length, four Inches and a quarter in Breadth, and two Inches and a half thick, and well made; under the Penalty of 6 *ſ.* for every Neglect.

Bridge-Hampton.

CHAP. 83, page 37, § 2.

BRidge-*Hampton* declared to be a Pariſh diſtinct from *South-Hampton*.

Brook-haven.

See CONSTABLE.

Buildings, *(in the City of* New-York.)

CHAP. 18, page 8, § 1.

THE Mayor, Aldermen, &c. of *New-York*, may appoint one or more Surveyors or Supervisors of their Buildings, &c. who are to see the same regulated, &c.

§ 2, page 8 and 9. The Mayor, Aldermen, &c. may, in Common-Council assembled, obstruct any Building that shall narrow any Street, and continue the *Broad-Street* according to its present Dimensions. If they take any Persons Ground, they are to give Notice to the Owners, and treat with them.

§ 3, page 9. The Mayor, Aldermen, &c. with the Supervisors, may set out all the Common Sewers and Vaults, and the paving the Streets, &c. and impose a Tax upon the Houses in the City, for that Purpose.

§ 4. This Act not to be construed to the Alteration of any Streets, Alleys, or Lanes, as they are laid out, at its Publication.

Casks.

CHAP. 138, page 58, § 1.

EVERY Cask to be made of good and well-season'd Timber. The Size of a Hogshead, Tierce, Barrel, half Barrel, and quarter Barrel.

§ 2. Casks employed in Merchandize, to be weighed, and the Tare marked on the Head, on the Penalty of 9 *d.* for every Neglect.

CHAP. 904, page 442, § 3.

The Size of *Madeira* Wine Casks, Hogsheads, &c. ascertained.

Cats.

CHAP. 172, page 73, § 1.

THE Reward for killing or destroying Wild-Cats, in the Counties of *Suffolk*, *Queen's* County, and *King's* County.

CHAP. 724, page 305, § 1.

The Reward for killing Wild-Cats in *Suffolk* County.

§ 2. The Method of recovering it.

Cats-Kill.

See SUPERVISOR.

Cattle.

CHAP. 599, page 214, § 1 and 2.

NO Person to pen up other than his own Sheep or Cattle, on *Hampstead-Plains*.

§ 3. The Justice refusing to punish the Offender, to forfeit £. 3.

CHAP. 726, pages 306, 307, § 1.

Persons having any stray Cattle or Sheep on their inclosed Land, to give a Note of them, to the Town-Clerk; and for their Trouble, allowed 9 *d.* for all Neat Cattle, and 2 *d.* for every Sheep. The Clerk allowed 6 *d.* for Neat Cattle, and 2 *d.* for each Sheep, for entring such Notes; to be paid by the Owners, with the Charges of keeping them. The Clerk to give a Receipt to the Owner, which he is to produce to the Possessor of the Cattle or Sheep, or the latter may distrain them. No Owner appearing in six Months, the Possessor to pay the Clerk and detain the Sheep, &c.

§ 2 and 3. If no Owner appears in one Year, the Cattle or Sheep to be sold at Vendue, by the Possessor, giving fourteen Days Notice, by Advertisement. The Charges being deducted, the Surplus to be paid to the Owner, when he appears; but not appearing within one Year after Sale, to be forever debarred; and then the Surplus to be paid to the Overseers of the Poor, or Church-Wardens, on Forfeiture of double the Sum remaining in his Hands.

§ 4, page 308. The Penalty for not giving Notice.

§ 5. All Persons may have Recourse to the Books, wherein such Cattle or Sheep shall be entred, *gratis*.

§ 6. Any Town, Manor, &c. not having a Town-Clerk, may chuse one.

§ 7. This Act not to abridge his Majesty's Right, or the Privileges, &c. of any City, Manor, or Corporation.

Charters.

CHAP. 2, page 2, § 1.

ALL the Charters, Grants, Patents, &c. under the Province Seal, and duly registred, shall be good, notwithstanding the Want of Form, &c.

§ 2. All Charters, &c. heretofore made, are ratified, notwithstanding the Want of Form, &c. *Provided* Nothing in the Act shall bar any Persons of their former Rights,

Rights, they claiming within five Years after the Date of the Act; nor prejudice any Infant, *Feme Covert*; *non Compos*, Perſons impriſon'd, or beyond Sea.

Chirurgeon.

CHAP. 305, page 117, § 3.
NO Chirurgeon in *New-York*, to be choſen a Conſtable or Collector.

Clerk.

CHAP. 626, page 308, § 6, and 7.
ANY Town, Manor, *&c.* not having a Town-Clerk, may chuſe one, ſaving the Rights of Places incorporate.

Church.

See alſo { MEETING-HOUSES. MINISTRY.

CHAP. 128, page 53, § 1.
THE Miniſters and Elders of the *French Church*, in *New-York*, impowered to ſell their Church in Petticoat-Lane, in Fee-Simple.
§ 2 and 3. The Money ariſing by ſuch Sale to be applied to the building a larger Church, to be held by them and their Succeſſors for ever.
§ 4. The Miniſters and Elders impowered to collect voluntary Contributions for the Benefit of the Church.
§ 5. But no Perſon to be compelled to ſuch Contributions.
CHAP. 141, page 61, § 1.
The Rector and Inhabitants, *&c.* of the *Church of England*, in *New-York*, and their Succeſſors, capable of pleading and being impleaded, and of holding a Church Burying-Place for ever, as fully as if they had been incorporated.
§ 2. They may purchaſe Lands, and demiſe and improve the ſame for the Benefit of the Church, not exceeding £.500, yearly Rent, and may alter, *&c.* the Church, and build a Houſe for the Rector.
3, pages 61, 62. The Patronage of the Church to belong to the Church-Wardens and Veſtry-Men, or the major Part of them; whereof one Church-Warden always to be one; and the Rector to be inſtituted and inducted, according to her Majeſty's Inſtructions, and the canonical Right of the Biſhop of *London*.
§ 4, page 62. *One Hundred Pounds* annually to be levied on the Inhabitants of the City of *New-York*, for the Rector.
§ 5. The Rector and Inhabitants to have a Common Seal.
§ 6. The Inhabitants annually to chuſe two Church-Wardens and twenty Veſtry-men, by Majority of Voices. One Church-Warden may call a Meeting of the Veſtry-men, who, with the Rector, may make prudential Rules and Orders, for the Management of Church Affairs, *&c.*
page 63. The Church-Wardens and Veſtry-men, may eſtabliſh all Fees of their Officers, *&c.* The Vacancies of the Church-Wardens and Veſtry-men, to be ſupply'd by a new Election. Upon Alteration of Church-Wardens, all Deeds, *&c.* belonging to the Church, to be delivered to their Succeſſors.
§ 7. Upon Avoidance of Offices, the Rector to appoint Succeſſors.

Cocoa.

See DUTIES.

Collectors.

CHAP. 133, page 55, § 1.
ONE Collector to be annually choſen in each Town, Manor and Precinct.
CHAP. 195, page 79, § 1.
Upon the Death of any Collector, every Manor, Town, *&c.* ſhall, within ten Days, chuſe another in his Place; and in Caſe of Omiſſion, he may be appointed by the Juſtices.
CHAP. 223, page 87, § 1.
The Inhabitants of *Iſlip*, in *Suffolk* County, to chuſe annually, one Collector.
CHAP. 305, page 117, § 2.
Every Perſon in the City of *New-York*, choſen a Collector, and refuſing to execute the Office, ſhall pay £. 15, for the Uſe of the Corporation.
§ 3. What Perſons exempted.
CHAP. 333, page 121, § 2.
The Inhabitants of the Manor of *Livingſton* impowered, yearly to chuſe one Collector.
CHAP. 379, page 134, § 1.
The Inhabitants of *Haverſtraw* impowered, annually to chuſe one Collector.
CHAP. 537, page 184, § 4.
The Inhabitants of *Shelter-Iſland* impowered annually to chuſe one Collector.

College.

CHAP. 909, page 450, § 1.
TRUSTEES appointed to let at Intereſt, the Money raiſed for erecting a College.
§ 2, page 451. And impowered to farm Lands that may be given to the College.
§ 3. The Province Treaſurer, by Conſent of the Truſtees, to pay the Money to the Borrowers.
§ 4. The Truſtees impowered to receive Propoſals for erecting a College;---and to account on Oath.

Commiſſioners *(for cancelling Bills of Credit.)*

See BILLS OF CREDIT.

Commiſſioners, *(for ſtating the publick Accounts.)*

See ACCOUNTS.

Connecticut.

See LINE.

Conſtables.

CHAP. 6, page 5, § 8.
CONSTABLES may return Vagabonds and ſtrolling Beggars, to the Place from whence they came.

CHAP. 223, page 87, § 1.
The Inhabitants of *Iſlip*, in *Suffolk* County, impowered to chuſe, annually, one Conſtable.

CHAP. 305, page 117, § 2.
Every Perſon in the City of *New-York*, choſen a Conſtable, refuſing to ſerve, ſhall pay to the Corporation, £. 15.

CHAP. 379, page 134, § 1.
The Inhabitants of *Haverſtraw* impowered, annually, to chuſe one Conſtable.

CHAP. 687, page 275, § 1.
The Inhabitants of *Brook-haven* impowered to chuſe one Conſtable, yearly.

CHAP. 752, page 322, § 1.
Two more Conſtables to be choſen for the Precinct of *Goſhen*.

CHAP. 776, page 345, § 1.
The Inhabitants of *Dutcheſs* and *Orange* to chuſe as many Conſtables as the Juſtices ſhall direct.

Conveyances.

See DEEDS.

Coin.

See COUNTERFEIT.

Copper Money.

See PENCE.

Corey.

See HIGH-WAYS.

Cortland.

See MANOR.

Coſts.

CHAP. 656, page 239, § 7.
WHERE Plaintiff ſhall pay Coſts, tho' he recovers Damages.

Counterfeiting.

CHAP. 815, page 370, § 1.
COunterfeiters of foreign Coin, or ſuch as paſs it, knowing it to be counterfeit, guilty of Felony, without Benefit of Clergy.

Counties and County Charge.

CHAP. 17, page 7, *per totum*.
THE Province divided into Counties.

CHAP. 96, page 43. § 2.
Juſtices annually to ſuperviſe County Charge; and iſſue Warrants for chuſing Aſſeſſors, and a Collector; under the Penalty of £. 50. Town refuſing to make ſuch Election, to forfeit £. 20.
§ 2, pages 43, 44. Aſſeſſors and Collectors, for Neglect of Duty, to forfeit £. 10, and be impriſoned three Months.
§ 3. Juſtices to appoint a Treaſurer.
§ 4. Collector to levy by Diſtreſs and Sale, *&c.*
§ 5. Treaſurer to keep a Book of Accounts, and annually bring it to the Seſſions, which the Court ſhall audit; under the Penalty of £. 100.
§ 6. Juſtices, once a Year, to make Proviſion for the Poor.
§ 10, page 45. No City or County to levy, for their publick Charge, above £. 300, *per Annum*.

CHAP. 133, page 55, § 1.
Any Freeholder, in any Manor, (except in the Manor of *Renſelaerwyck)* to vote in the next Town, for a Superviſor, two Aſſeſſors, and one Collector, to be annually choſen, in each Town, *&c.* The Superviſors to examine and compute the Charges of their reſpective Counties, and tranſmit the Proportion of each Town, to the Aſſeſſors: The Aſſeſſments to be delivered to the Collectors, who are to collect and pay the ſame to the County Treaſurer, who is to be annually choſen by the Superviſors. The Collectors, in Caſe of Refuſal, may levy the Aſſeſſments by Diſtreſs, *&c.* The Treaſurers Payments to be by Warrants under the Hands and Seals of the Majority of the Superviſors. The Treaſurer to exhibit Accounts annually before the Superviſors.
§ 2, page 56. The Superviſors, Aſſeſſors, *&c.* for Neglect of Duty, to forfeit £. 5.
§ 3. The Superviſors, *&c.* to make Payments of the yearly Quit-Rents; and to aſſeſs and collect the ſame.
§ 4, page 56, 57. Where there is a Vacancy of Superviſors, *&c.* a new Choice is to be made by the Town or County; and where no ſuch Choice ſhall be made, the Juſtices to nominate and appoint them.

CHAP. 460, page 166, § 1.
The Collectors of *Richmond* County, within four Months after the Roll of Aſſeſſments is delivered to them, to pay the Sums they are to collect, to the County Treaſurer.
§ 2, page 167. And in four Months after, he ſhall proſecute them, or forfeit £. 10.

Courts.

CHAP. 103, page 47, § 2.
JUSTICES in *Orange*, to have Cognizance of Suits brought for Taxes, *&c.* againſt the Owners of vacant Lands, in that County.

CHAP. 305, page 117, § 3.
Clerks of the Courts in *New-York*, not to be choſen Conſtables or Collectors.

CHAP. 656, page 237, § 1.
Juſtices impowered to take Cognizance of all Cauſes not exceeding 40 *ſ.*
§ 2, page 238. Proceſs againſt Freeholders and Inhabitants, to be by Summons, two Days before Trial.
§ 3. Juſtices impowered to ſummon Witneſſes.
§ 4. Either Party may have a Jury of ſix Men, at his own Charge.
§ 5. Proceſs againſt Non-Reſidents, to be by Warrant.
§ 6, page 239. The Priſoner, on Execution, to be committed to Goal. If Goods are taken in Execution, they ſhall not be ſold till three Days are elapſed.
§ 7 and 8. In Actions brought in the County Courts, or the Mayors Courts, where the Damages found, do not exceed 40 *ſ.* the Plaintiff to pay all Coſts, unleſs the Matters of Account litigated, exceed £. 10.
§ 9. This Act not to abridge the Privileges of the Mayor, *&c.* of *New-York*, *Albany*, or *Weſt-cheſter*.
§ 10, page 240. Juſtices who are Members of Council, may act or decline it, as they ſhall chuſe.

CHAP. 799, page 356, § 1.
All Actions under £. 20, to be commenced in the Inferior Courts; and not to be removed into the Supreme Court.
§ 2. page 359. Attornies of the Supreme Courts may commence Actions in any inferior Court.
§ 3. Penalty for commencing in, or removing any Action under £. 20, into the ſupreme Court.
§ 4, pages 357, 358. Penalties and Forfeitures of this Act, to be ſued for in no other Courts than the inferior Courts; and Suits brought for them, ſhall not be removed into the ſupreme Court, on Pain of ſix Months Impriſonment; except where Title to Lands is in Queſtion, and *Actiones qui tam, &c.*
§ 5, page 358. Suits under £. 20, brought in inferior Courts, ſhall be tried there, altho' the Cauſe of Action aroſe out of their Juriſdiction.
§ 6 Judges of the inferior Courts impowered to take Recognizances of Bail, in Actions depending in the ſupreme Court; which the Defendant ſhall tranſmit to one of the Judges of the ſupreme Court.
§ 7, page 359. Judges of the ſupreme Court to take half Fees for ſuch Recognizances.
§ 8. If Courts are hereafter eſtabliſhed, this Act ſhall affect them, as it now does the ſupreme Court.

Crows.

CHAP. 172, page 73, § 1.
THE Reward for killing Crows and their Young, in *Suffolk*, *Queen's* County, and *King's* County.

Cursing.

See IMMORALITY.

Custom-House.

CHAP. 452, page 163, § 1.
NO Veſſels, or Goods carried in them, from one Part of the Province to another, to be entred at the Cuſtom-Houſe.
§ 2. The Penalty on Officers of the Cuſtoms, for obſtructing ſuch Tranſportation: But they may ſearch ſuch Veſſels for prohibited Goods.

Debtors.

CHAP. 908, pages 445, 446, § 1.
ON any Debtor's abſconding, Creditors in £. 40, may make Oath of it, before the Judges of the ſupreme Court; who ſhall thereupon iſſue Warrants for the Attachment of his Eſtate; and an Inventory of the Goods attached, to be made.
§ 2, page 446. Notice of ſuch Attachment to be given in the News-Papers.
§ 3. The Debtors of abſconding Perſons, making Payments after ſuch Notice, to the Attorney of the Perſons abſconding, ſhall re-pay the ſame out of their own Eſtates.
§ 4, page 447. All Sales, *&c.* of Perſons abſconding, to be void.
§ 5. If the Perſons abſconding, do not return within three Months after Notice, or ſatisfy their Creditors, the Judges are to appoint Truſtees for the Sale of ſuch Perſons Eſtates.
§ 6, pages 447, 448. Such Truſtees to give Notice in the News-Papers, for all Perſons indebted to the Perſon abſconded, to pay the ſame; and ſuch as refuſe, to forfeit double the Value of their Debts, to be ſued for by ſuch Truſtees: And the Truſtees impowered to adjuſt all Affairs between Debtors that abſcond, and thoſe indebted to them, *&c.*
§ 7, page 448. Any Perſon diſcovering ſecreted Effects, is intitled to 10 *per Cent.*
§ 8. When the Truſtees have converted the Eſtates of Perſons abſconding, into Money, they are to give Notice thereof, and make a Dividend, *&c.* and within three Months after ſuch Notice, to pay the Creditors as far as the Money will go. What ſhall be done in Caſe of a Deficiency or Overplus. The Truſtees to file an Account of their Proceedings in the ſupreme Court. The real Eſtate not chargeable, if the perſonal Eſtate is ſufficient to ſink all the Demands.
§ 9, page 449. The Truſtees to retain five *per Cent.* for their Services.
§ 10. The Goods of Perſons reſiding out of the Province, ſubject to Seizure; provided the Owner has a Year and a Day to redeem them.
§ 11. Judges of the inferior Courts in the Counties, impowered to put this Act in Execution, for Debts above £. 5, and under £. 40. Where Warrants ſhall iſſue from the Judges of both Courts, there ſhall be a *Certiorari* to remove the Proceedings of the inferior Judges before the Judges of the ſupreme Court.
§ 12. Judges granting Warrants purſuant to this Act, to make proper Reports thereof to the Court.
§ 13. The Truſtees to take an Oath for the true Performance of their Duties.
§ 14. The Truſtees to be ſubject to Orders of Courts.

Deeds.

CHAP. 216, page 85, § 4.
ALL Deeds and Conveyances acknowledged and recorded in the Secretary's Office, or in the County Records, where the Lands lye, or the Tranſcript thereof, to be good Evidence.
§ 5. The *Dutch* Words, *Unroerende* and *Vaſte Staat*, in all Deeds, Wills, *&c.* ſhall be conſtrued to ſignify *real Eſtate*, and *paſs a Fee.*

Deer.

CHAP. 172, page 73, § 3.
WHEN and where Deer are not to be killed.

CHAP. 892, page 431, § 1.
No Deer to be killed from *December* to *July*, excluſively.
§ 2. What ſhall be Proof to convict of the Offence.

Diſ-

Discount.

See LAW-SUITS.

Docks.

See BUILDINGS.

Dogs.

CHAP. 774, page 344, § 1.

THE Owner of any Dog that ſhall kill Sheep, to pay the Damage, and cauſe the Dog to be killed.

§ 2. A Jury may be called to try ſuch Cauſes.

§ 3. Any Perſon may kill Dogs that chaſe Sheep, *&c.*

Dollars.

See alſo EXCISE.

CHAP. 388, page 138.

LION Dollars of ſeventeen Penny-weight, to paſs for fifteen Penny-weight of *Sevil, Pillar* or *Mexico* Plate.

Drunkenneſs.

See IMMORALITY.

Dry-Goods.

See DUTIES.

Dutch Words.

See DEEDS.

Duties *(for Support of Government.)*

CHAP. 540, pages 184, 185, § 8, 9, 10, *&c.*

ARrearages of the Duty on Slaves, to be collected; and the Manner how.

CHAP. 703, page 281, § 1.

A Duty of 40 *ſ.* granted to his Majeſty, for every Negro, or other Slave, of four Years and upwards, imported direct from *Africa*. For every Pipe of Wine, 30 *ſ.* For every Gallon of Rum, Brandy, or other diſtilled Liquors, 2 *d.* For every 100 Weight of Cocoa, 4 *ſ.* For all *European* or *Eaſt-India* Goods, from the *Britiſh* Iſlands, £. 5 for every £. 100 Value.

§ 2, page 282. The Duty on Slaves explained.

§ 3. Slaves belonging to Veſſels, or travelling upon the Service of their Owners, or under four Years, exempted from Duty.

§ 4. Slaves waiting on their Owners, free of Duty: Provided the Owners give Security to the Treaſurer, that the Duty ſhall be paid, in Caſe ſuch Slaves are ſold; and on Failure of paying ſuch Duty, the Owner or Diſpoſer of ſuch Slave, to forfeit £. 10.

§ 5. The Age of Slaves, in Caſe of Diſputes, to be determined by two Juſtices of the Peace.

§ 6. In Caſe Slaves die within thirty Days after they are imported, they ſhall be exempted from Duty, upon Proof that they were ſick when imported. And Slaves ſent from the *Britiſh* Iſlands, for the Recovery of their Health, alſo exempted from Duty, upon Proof thereof, and Security to the Treaſurer to pay the Duty, in Caſe they do not die, or are ſent back within eight Months after their landing, *&c.*

§ 7, page 283. The Treaſurer to give a Certificate to the Importers of Slaves, that the Duty is paid; for which he is to have 1 *ſ.* and the Seller of the Slave is to deliver the Certificate to the Purchaſer.

§ 8. How to diſcover whether Slaves be clandeſtinely imported; and the Penalty.

§ 9, page 284. The Duty on Slaves imported in *Albany, Ulſter* and *Dutcheſs* Counties; and how they ſhall be reported.

§ 10. The Receiver of the Duty, to tranſmit to the Treaſurer, an Account of the Duty paid, *&c.* and £. 4 for every Slave: And the Treaſurer to ſend a Certificate to the Perſon remitting the Money: And the Perſons receiving the ſaid Duty, and omitting to give ſuch Account, *&c.* to forfeit £. 10.

§ 11. Slaves imported into the ſaid Counties, not reported, to be forfeited.

§ 12, page 285. The Proof of a Purchaſer of a Slave having loſt his Certificate by Accident, to be of the ſame Force as the Certificate would have been.

§ 13. How the Duty of Wine is to be calculated in Caſe of Leakage.

§ 14. A Draw-back of 20 *ſ. per* Pipe of Wine, exported to Places beyond Sea, within ſix Months after Importation, (the Colonies of *Connecticut* and *New-Jerſey* excepted.)

§ 15. The Wine intended for Exportation, to be entred with the Treaſurer, before Exportation; and the Exporter to make Oath, that the ſame was duly entred, and the Duties paid, *&c.*

§ 16, page 286. The Exporter alſo to make Oath of the Number of Pipes ſhipped by him; and of the Names of the Maſter, Veſſel, and Place ſhe is bound to. Which Oath is to be filed or entred by the Treaſurer.

§ 17. In Caſe the Wine be re-imported, the Importer to enter the ſame, and pay back to the Treaſurer the Draw-back: And ſuch Wine re-landed in a clandeſtine Manner to be forfeited; and if ſuch re-landing ſhall be committed by the Perſon who had, or was to have the Draw-back, he ſhall forfeit double the Value of the Wine. The Treaſurer to keep an Account of the Draw-back, and render the ſame on Oath.

§ 18. How the Duty on Rum and other diſtilled Liquors, is to be calculated.

§ 19. Ten Gallons of Wine, Rum, or other diſtilled Liquors, allowed to Maſters of Veſſels, for Sea-Store, free of Duty.

§ 20, 21, page 287. How the Duty on Cocoa and Dry-Goods, is to be calculated.

§ 22. Maſters of Veſſels not only to make Report to the Collector; but alſo, in Caſe of dutiable Goods, make Report to the Treaſurer, within forty-eight Hours after Arrival; and deliver an exact Manifeſt of the ſame.

§ 23, page 288. In Caſe dutiable Goods are conſigned to another Port, they may be carried thither without paying Duty, on the Exporter's ſwearing, that they are not intended to be brought back.

§ 24. Maſters of Veſſels neglecting to make due Entry, to forfeit £. 100.

§ 25. Other Perſons landing dutiable Goods before Entry, (except Slaves attending their Owners) ſuch Goods to be forfeited.

§ 26. If the Duties are under £. 10, they are to be paid immediately; if above, within three Months: And on the Duty's being ſecured, the Treaſurer is to certify the ſame to the Tide-Waiters.

§ 27, 28, 29, page 289. The Treaſurer impowered to ſue for the Duties; which if he neglects, at the End of three Months, he ſhall be anſwerable himſelf. He may ſue in the King's Name, but at his own Coſts.

§ 30. Maſters of Veſſels having dutiable Goods on board, to acquaint the Land and Tide-Waiter where they will unload; on the Forfeiture of £. 5.

§ 31. Land and Tide-Waiter veſted with proper Power to execute his Office.

§ 32, page 290. The Treaſurer authoriſed to adminiſter the Oaths directed to be taken, by this Act.

§ 33. Goods for which the Duty has been paid, being exported, and afterwards returned, to be free from a ſecond Duty.

§ 34. *Brindly Sylveſter*, Eſq; appointed to collect the Duty, in *Suffolk* County; and on his Death, *&c.* another to be appointed by the Commander in Chief, for the Time being, with Approbation of Council, till another is appointed by the Aſſembly: And ſuch Officers are to keep Books of the Duties, and tranſmit Accounts thereof, upon Oath, to the Treaſurer.

§ 35. The ſame Officer to have the ſame Power as, by this Act, is given to the Treaſurer, and the Land and Tide-Waiter.

§ 36. All Maſters of Veſſels, Merchants, *&c.* and all dutiable Goods, landed in *Suffolk*, liable to the ſame Rules, *&c.* as thoſe brought into *New-York*.

§ 37, page 291. The future Officers of the Duty, in *Suffolk*, and Land and Tide-Waiter, in *New-York*, to take the uſual Oaths.

§ 38. The Officer in *Suffolk* County, to appoint a Gauger.

§ 39. How the Fines, *&c.* accruing to *Suffolk* County, are to be recovered and applied.

§ 40. The Officer in *Suffolk* County, may retain 1 *ſ* 6 *per* Pound, as a Reward for his Services.

§ 41. The Treaſurer being indiſpoſed or abſent, may appoint a Deputy; but ſhall be anſwerable for his Acts.

§ 42. The Money ariſing by Virtue of this Act, to remain in the Treaſury, till applied to the Support of Government, by Act of Aſſembly.

§ 43. The Treaſurer to render an Account, on Oath, of the Monies received by Virtue of this Act.

East-Chester.

CHAP. 90, page 40, § 1, 2.

THE Town of *East-Chester* made a Pariſh diſtinct from *Weſt-Chester*, *&c.* by the Stile of *The Pariſh of* East-Cheſter, *in the County of* Weſt-Cheſter: Provided the Inhabitants thereof, maintain a good orthodox Proteſtant Miniſter.

Election of Repreſentatives.

See { ASSEMBLY. / REPRESENTATIVES.

CHAP. 74, pages 29, 30, § 1.

THE Electors of Repreſentatives muſt be Reſidents, and have a Right to a Freehold of the Value of £. 40; of which they muſt have been poſſeſſed three Months before the Writ of Summons. The Elected to be returned by Indenture between the Sheriff and Electors, whom the Sheriff is impowered to examine upon Oath; and if he returns any not qualified, to forfeit £. 50.

§ 2, page 30. There muſt be forty Days between the Teſt and Return of the Writ of Summons. Upon Receipt of it, the Sheriff muſt indorſe the Time he received it; and in ſix Days, publiſh the Time and Place of Election.

§ 3. No Fees to the Sheriff, for his Service.

§ 4. The Election to be made at the moſt publick Place; and if it cannot be determined upon View, a Poll to be taken.

§ 5, page 31. Clerks to be appointed and ſworn to take the Poll; and Inſpectors alſo to be nominated by each Candidate, to over-look the Clerks: And every Elector, if required, ſhall make Oath of his Qualifications.

§ 6. Perjury and Subornation of Perjury, to incur the Penalties, *&c.* of Vth *Eliz.*

§ 7. The Poll ſhall be taken at the Place of Election; and there ſhall be no unneceſſary Adjournment, without the Conſent of the Candidates.

§ 8, pages 31, 32. A Copy of the Poll ſhall be delivered to any that will pay for it. The Sheriff, or his Deputies, offending againſt this Act, to forfeit £. 30.

§ 9, page 32. Infants neither capable of voting or being elected.

§ 10. Thoſe who have been free of the Corporations of *New-York* or *Albany*, three Months before the Teſt of the Writ, are qualified for Electors, in their reſpective Corporations.

CHAP. 94, page 42, § 1.

No Popiſh Recuſant to vote for Repreſentatives, or other Officers.

§ 2. An Eſtate for Life, or his Wife's Life, a ſufficient Qualification for an Elector.

§ 3. A Mortgagor in Poſſeſſion, and receiving the Profits, may vote.

§ 4. The Inhabitants of *Dutcheſs*, may vote for Repreſentatives in *Ulſter*.

CHAP. 865, page 411, § 1.

The Election of Repreſentatives in *Orange* County, to be at *Orange-Town* and *Goſhen*.

§ 2. Elections at any other Places to be void; and the returning Officer to forfeit £. 50.

§ 3, 4, pages 411, 412. Elections in *Suffolk* County, to be at the County-Hall; and Elections at any other Place to be void; and returning Officer ſubject to the Penalty of £. 50.

CHAP. 911, page 453, § 1.

The Election of Repreſentatives in the County of *Weſt-Cheſter*, to be at the Preſbyterian Meeting-Houſe, in *White-Plains*.

§ 2. If the Sheriff ſhall hold the Court of Election at any other Place, he ſhall forfeit £. 100.

Exciſe.

CHAP. 263, page 94, § 1.

THERE ſhall be granted to her Majeſty, from the firſt Day of *November*, 1714, to the firſt of *November*, 1734, an Exciſe on all Strong Liquors, retailed under five Gallons, (Beer and Cyder only excepted.)

§ 2. The Exciſe to be let to farm to the higheſt Bidder; and Security to be taken from the Farmers of it.

§ 3, page 95. Penalty on Magiſtrates neglecting their Duty.

§ 4. The Juſtices may agree with the Retailers of Strong Liquors, where ſhall be no Farmer of the Exciſe.

§ 5. Retailers ſhall enter their Strong Liquors, and pay the Duties. The Forfeiture for Neglect.

§ 6. The Penalty for ſelling Strong Liquors without Licence.

§ 7, page 96. The Penalty for ſelling to Negroes.

§ 8. No Proſecutor to compound or make Abatement.

§ 9. The

§ 9. The Value of *Lyon* Dollars for the Duty raiſed by this Act.
§ 10. The Mayor, &c. of the Borough of *Weſt-cheſter*, to have the ſame Power as the Mayor, &c. of *New-York*.
§ 11. The Exciſe to be applied to the Payment of the publick Debts.

Extravagant Grants.

See GRANTS.

Fairs.

CHAP. 26, page 11, § 2.

A FAIR to be kept twice a Year in every City and County; to which all Perſons may reſort with all Kinds of Merchandize, &c.

§ 3. The Times of the Fairs in *New-York*.
§ 4, 5, 6, 7, 8, 9, 10, page 12. The Time and Place of the Fairs for *King's* County, *Queen's* County, *Suffolk* County; for the City and County of *Albany*; for *Ulſter* County; for the County of *Weſt-Cheſter*, and for *Richmond* County. Theſe Fairs to be held with Court of Pypowder, after the Manner of the Realm of *England*.
§ 11, pages 12, 13. The Governor to commiſſionate Rulers of the Fairs, who are to hold Courts of Pypowder, &c. Provided they publiſh the Time they ought to hold them. The Governors of the Fairs not to hold them beyond the Time limited.
§ 12. The Governor of the Fair to appoint an open Place to hold it in, and a Perſon to take Toll; on the Forfeiture of 40 *ſ.* The Time for taking, and the Value of the Toll. The Toll-gatherer to keep a Book, &c. on Forfeiture of 40 *ſ.* and one Day after the Fair, to deliver it to the Governor; who ſhall take a Note of all Horſes, &c. ſold at the Fair, The Toll to be paid, one Half by the Buyer, the other by the Seller.
§ 13, page 14. This Act not to infringe upon the Charters of *New-York*, *Albany*, and Manor of *Renſelaerwyck*.

Fences in general.

CHAP. 3, page 3, § 1.

THE Freeholders of each Town may annually aſſemble, and nominate Surveyors of the Fences, who are to lay out and regulate all the Fences that ſhall be eſtabliſhed by the Majority: Provided ſuch Orders be regiſtered in the Town-Book, and approved of by the next Court of Seſſions.

CHAP. 887, page 426, § 1.

The Freeholders of every Town, to meet and make Orders relating to Fences; which being recorded, ſhall be binding.
§ 2, pages 426, 427. All Perſons having Lands within a circular Fence, to contribute towards making ſuch Fence.
§ 3, page 427. The Charges of Partition-Fences, to be borne equally by all Perſons concerned; and if any Perſon refuſe to make his Proportion after four Months Notice, the Whole to be made at his Expence. When any Perſon, concerned in Lands included within a Partition-Fence, inclines to throw up ſuch Lands into common Paſture, three Months Notice to be given.
§ 4. Overſeers of Fences to be annually elected.
§ 5, page 428. All Corporations impowered to make Orders relating to Partition-Fences.
§ 6. Publick Pounds to be made in the Counties.
§ 7. Prudential Orders to be made where Lands lie in common.
§ 8, page 429. Freeholders, &c. to ſue for Penalties incurred.

Fences in Ulſter.

CHAP. 93, page 41, § 1.

THE Owners of Land, in *Ulſter*, within a circular Fence, to pay their reſpective Proportions of making it. Any Perſon refuſing to pay his Proportion; it ſhall be aſſeſſed by a Juſtice, and levied by Diſtreſs and Sale; and the Surplus returned.

Ferry and Ferriage.

CHAP. 493, pages 209, 210, § 1.

THE Ferriage for tranſporting a-croſs the Ferry between the City of *New-York* and *Naſſau-Iſland*, eſtabliſhed.
§ 2, page 211. The Penalty on ſuch as refuſe to pay their Ferriage.
§ 3, page 212. The Penalty on the Ferryman for not landing at the Place appointed, and taking more than due.
§ 4. The Profits of the Ferry to be to the Corporation

Corporation of *New-York*; who are impowered to eſtabliſh more Ferries.
§ 5. Perſons living near the Ferry on *Naſſau-Iſland*, have Privilege of tranſporting their own Goods in their own Boats.
§ 6, page 213. All others beſides the Corporation of *New-York*, inhibited from keeping a Ferry between *New-York* and the Iſland of *Naſſau*.
§ 7. The Ferry-man to hang up a Table of the Rates of the Ferriage.

Fire-men.

CHAP. 670, page 263, § 1.
THE Corporation to appoint forty-two Fire-men.
§ 2, page 264. The Mayor, Aldermen, *&c.* in Common Council, may diſplace the Fire-men, and appoint others.
§ 3. The Fire-men exempted from being Conſtables, Surveyors of Roads, Jurors, or ſerving in the Militia, or Independent Companies, except in Time of imminent Danger. Provided, that no Perſon's being Conſtable, *&c.* before the making of this Act, ſhall be exempted from ſerving, by being appointed Fire-men.
§ 4. The Corporation impowered to preſcribe Rules to the Fire-men.
§ 5, page 265. Sheriffs, Conſtables, Marſhals, *&c.* to aſſiſt at Fires, and apprehend Pilferers.

Flour.

CHAP. 899, page 437, § 1.
ALL Bolters and Bakers to have Brand-Marks; and enter their Names, *&c.* with the Clerks of the Seſſions.
§ 2, page 438. Wheat Flour to be made fine and merchantable, and to be well packed, *&c.*
§ 3. The Penalty for falſe-taring a Caſk.
§ 4. The Manner of inſpecting Flour: And no Flour to be exported before it is inſpected.
§ 5, pages 438, 439. If Diſputes ariſe between the Owners and Inſpectors, how the ſame are to be determined; and with what Conſequences ſuch Determination ſhall be attended.
§ 6, page 439. The Inſpectors impowered to ſearch Veſſels for Flour, not branded. Such Flour forfeited; and the Maſter to pay 10 *ſ.* for every Caſk; and every Perſon obſtructing the Search of the Inſpectors, £. 50.
§ 7. Inſpectors appointed: Their Oath: And the Manner of ſupplying a Vacancy.
§ 8, page 440. Inſpectors not to purchaſe any condemned Flour.
§ 9. Penalty on Inſpectors refuſing to inſpect, when required.
§ 10. Penalty for counterfeiting Brand-Marks.
§ 11. The Penalty for emptying Caſks after they are branded, to export Flour in them, not inſpected.
§ 12. The Inſpectors impowered to ſue for Fines, *&c.*

Fortifications.

CHAP. 236, page 90, § 1.
PERSONS convicted of impairing the Fortifications, liable to ſuch Puniſhment, *&c.* as the Juſtice ſhall think proportionable to the Offence.
§ 2. All Fines levied by this Act, to be applied to the repairing the Fortifications.

Forty Shillings. *(Courts of)*

See COURTS. ACTIONS.

Foxes.

CHAP. 172, page 72.
EVERY Perſon killing or deſtroying any Fox or Puppy, in the County of *Suffolk*, *King's* County, and *Queen's* County, ſhall have for each Fox, 3 *ſ.* and for each Puppy, 18 *d.*
CHAP. 319, page 119, § 1.
For every Fox deſtroyed by a Chriſtian or Slave, in *Weſt-Cheſter*, ſhall be paid 3 *ſ.* and for every young Fox, 1 *ſ.* 6
§ 2. To an Indian for deſtroying a Fox, 1 *ſ.* 6 for a young one, 9 *d.*

Fox-Hall.

See SUPERVISORS.

Frauds.

See DEBTORS.

French-Church.

See CHURCH.

Fresh-Water Pond.

See POND.

Funds.

CHAP. 861, page 408, § 7; and CHAP. 862, page 410, § 5.

THE Speaker of the House of Representatives, annually to publish the State of the Funds for cancelling the Bills of Credit.

Gaming.

CHAP. 796, page 355, § 1.

NO Tavern-keeper to keep Gaming-Tables, under the Penalty of £. 20.

§ 2. Nor suffer Youth, Servants, &c. to game in their Houses, on Penalty of £. 3.

§ 3, page 356. No Youths under twenty-one Years of Age, nor Servants to game, on Penalty of 6 *s.*

§ 4. Penalties in this Act, how to be recovered and disposed of.

Goshen.

See CONSTABLES.

Grants.

See CHARTERS.

Grants of Land.

CHAP. 79, page 35, § 1.

SEVERAL extravagant Grants made in the Years 1696, 1697, 1695, 1694, by Governor *Fletcher* vacated.

§ 2. The Records of them to be obliterated.

Habeas Corpus.

See ACTIONS.

Haverstraw.

CHAP. 379, page 134, § 1.

THE Inhabitants of this Precinct, impowered to chuse annually, one Supervisor, one Collector, two Assessors, one Constable, and two Overseers of the High-ways. Those Officers to be of the principal Inhabitants and Freeholders; and to act in Conjunction with the like Officers in the County of *Orange*.

Gauging.

See LIQUORS.

Hawkers and Pedlars.

CHAP. 691, page 276, § 1.

HAWKERS and Pedlars travelling on Foot, to pay £. 5 *per Annum*; and travelling on Horse-back £. 5 more.

§ 2. A Licence to be given them by the Treasurer, to whom they must give Notice in what Manner they will trade.

§ 3. Any Hawker, &c. trading without such Licence, to forfeit £. 30; and £. 5 for not shewing his Licence, when demanded.

§ 4, page 277. Any Person forging or counterfeiting such Licence, to forfeit £. 50.

§ 5. Persons sued for executing this Act, may plead the General Issue; and shall recover treble Costs.

§ 6. Any Person may seize and carry a Pedlar who shall trade without Licence, before a Justice of the Peace.

§ 7. Any Pedlar, &c. refusing to produce his Licence to the Person demanding it, and afterwards producing it to the Justice, to forfeit 30 *s.*

§ 8. The Monies raised by this Act, to be applied as the Governor, Council, and Assembly shall think fit.

§ 9, page 278. This Act not to extend to Persons selling Fish, Fruit, or Victuals, or their own Manufactures, &c.

§ 10. No Hawking to be allowed in the Cities of *New-York* or *Albany*.

§ 11. Persons coming to any Town with a Cargo of Goods, and bringing the same into a House, where they are to reside, at least, the Space of thirty Days, and disposing of their Goods in such House only, not to be deemed Hawkers, &c.

Heath-Hens.

CHAP. 172, page 73, § 3.

HEath-Hens not to be killed between the first Day of *August* and the first Day of *April*, or their Eggs destroyed; on the Penalty of 2 *s.* 6 *d.*

Hampstead-Plains.

See also CATTLE.

CHAP. 482, page 170, § 1.

THE Grass on *Hampstead-Plains* not to be burnt, under the Penalty of £. 10.

§ 2, page

§ 2, page 171. The Method of extinguiſhing Fires on it; and the Puniſhment for refuſing Aſſiſtance for that Purpoſe.

High-Ways in general.

CHAP. 3, pages 3, 4, § 2.

THE Freeholders of each Town may aſſemble together, and annually nominate three Surveyors of the High-ways; who are to lay out, regulate, and amend all the High-ways that ſhall be eſtabliſhed, as agreed upon by the Majority: Provided ſuch Orders be regiſtred in the Town-Book, and approved of by the next Court of Seſſions.

On the Eaſt of David Corey's *Land.*

CHAP. 325, page 306, § 1.

THE Road from the Weſt to the Eaſt of *David Corey*'s Land, altered; and he impowered to hang two ſwinging Gates, and keep them and the Road in Repair.

§ 2. The Penalty for blocking up, *&c.* ſwinging Gates, 10*ſ.* The ſaid *David Corey* to have no Benefit by this Act, unleſs he keeps the ſaid Gates and Roads in repair.

From the Ferry *to* Brucklyn.

CHAP. 412, page 147, § 1.

The High-way, from the Ferry to *Brucklyn* on *Naſſau-Iſland*. aſcertained.

§ 3. The Inhabitants of *Brucklyn* judging the Road too narrow, it ſhall be made broader, and a Jury aſſeſs the Value of the Ground taken into the High-way. The Manner of levying the Value appraiſed.

In Schenectady.

CHAP. 488, page 172.

THE Manner of regulating Streets and High-ways in *Schenectady*. *See* SCHENECTADY.

In Suffolk.

CHAP. 575, page 204, § 1.

THE Names of the Commiſſioners to lay out and regulate High-ways.

§ 2. Their Duty: And how Diſputes about Roads are to be decided.

§ 3, pages 204, 205. The Penalty for altering or ſtopping up High-ways.

§ 4. The Breadth of the Roads.

§ 5. In what Manner the Roads ſhall be amended.

§ 6. How and where ſwinging Gates may be ſet up.

§ 7. A Team or Cart, or Plow, and a Man to manage it, equal to two Days Work of a ſingle Man.

§ 8, page 206. When and in what Manner new Commiſſioners ſhall be choſen.

§ 9. Roads laid out, to be recorded.

§ 10. Who ſhall be obliged to work on the High-ways.

§ 11. The Commiſſioners Wages, and how to be raiſed.

CHAP. 686, page 274, § 2.

The Freeholders, *&c.* of the County of *Suffolk*, may annually chuſe Commiſſioners for regulating the High-ways.

CHAP. 795, page 355, § 1.

Where there are Forfeitures and no Goods to be found, the Offender to be committed for two Months.

From New-York *to* Kings-Bridge.

See POST-ROAD.

In Dutcheſs.

CHAP. 776, page 345, § 1.

THE Inhabitants of *Dutcheſs* to chuſe as many Overſeers of the High-ways, as the Juſtices ſhall think neceſſary.

CHAP. 780, page 346, § 1.

Commiſſioners appointed to regulate High-ways in *Dutcheſs* County.

§ 2. The Commiſſioners impowered to lay out new Roads, *&c.*

§ 3. No Trees to be girdled in any High-Roads.

§ 4, pages 346, 347. Roads not to be ſtop'd up without the Conſent of the Commiſſioners.

§ 5, page 347. The Breadth of publick Roads through incloſed Lands.

§ 6. The Inhabitants to keep all publick Roads in Repair.

§ 7. Trees on the Lands of Perſons, thro' which Roads ſhall be laid out, reſerved to the Owners, *&c.*

§ 8. In what Places ſwinging Gates ſhall be allowed.

§ 9, page 348. No Perſons to ſtake open Gates to the Damage of the Proprietors.

§ 10. A Team equal to two Men's Work.

§ 11. The Vacancy of the Commiſſioners to be ſupply'd by an Election made by the Juſtices in Seſſions.

§ 12. All Roads laid out or altered, to be entred on Record.

§ 13. The Commiſſioners Fees.

§ 14, page

§ 14, page 349. The Overſeers to warn and ſet the Inhabitants to work on the Roads, or forfeit 40 *ſ.*
§ 15. None to be compelled to work on Roads in Time of Harveſt.
§ 16. Only one publick Road to be laid out at the Deſire of a ſmall Neighbourhood.

In West-cheſter.

CHAP. 801, page 360, § 1.
COMMISSIONERS appointed to regulate High-ways, in the County of *Weſt-Cheſter*.
§ 2. The Commiſſioners impowered to lay out new Roads, *&c.*
§ 3. Roads not to be ſtopp'd up without the Conſent of the Commiſſioners.
§ 4, page 361. The Breadth of the Roads through any improved Lands, to be at the Diſcretion of the Commiſſioners.
§ 5. The Inhabitants to keep all publick Roads in Repair.
§ 6. Trees reſerved to the Owners of the Land.
§ 7. In what Places ſwinging Gates may be placed.
§ 8. page 362. No Perſon to ſhore open any ſuch Gate, or do Damage.
§ 9. A Team equal to three Days Work.
§ 10. The Vacancies of the Commiſſioners to be ſupply'd by a new Election.
§ 11. All Roads laid out or altered, to be entred on Record.
§ 12. The Commiſſioners Allowances.
§ 13. The Commiſſioners to warn and ſet the Inhabitants to work on the Roads.
§ 14. Only one publick Road to be laid out at the Deſire of a ſmall Neighbourhood.

CHAP. 905, page 442, § 1.
Commiſſioners appointed to lay out Roads in the County of *Weſt-cheſter*.

In King's *County*, Queen's *County*, Richmond *County*, *and* Orange *County*.

CHAP. 379, page 134, § 1.
THE Inhabitants of the Precinct of *Haverſtraw* impowered to chuſe annually two Overſeers of the High-ways.

CHAP. 805, pages 364, 365, § 1, 2.
The Freeholders, at their annual Meetings, to chuſe Commiſſioners for High-ways; who are impowered to lay out and regulate them.
§ 3, page 365. Roads not to be ſtopped up without the Conſent of the Commiſſioners.
§ 4. The Breadth of Roads thro' incloſed Lands.
§ 5, pages 365, 366. The Inhabitants to keep all publick Roads in Repair.
§ 6, page 366. The Trees in the Road reſerved to the Owners of the Land, thro' which they are laid out, *&c.*
§ 7. Where ſwinging Gates are to be placed.
§ 8. A Team equal to three Days Work of a Man.
§ 9. All Roads laid out or altered, to be entred on Record.
§ 10, page 367. Commiſſioners Allowances.
§ 11. The Superviſors, *&c.* to warn the Inhabitants to work on the Roads.

In Albany.

CHAP. 885, page 420, § 1.
ALL Acts relating to Roads in this County, repealed; and new Commiſſioners appointed.
§ 2, 3, pages 421, 422. The Commiſſioners impowered to lay out or alter any Roads, and to give Orders for breaking up the Roads thro' the Snow, in Winter.
§ 4, page 422. The Size of Carts, *&c.* aſcertained.
§ 5. No Perſon, without the Conſent of the Commiſſioners, to alter or ſtop up any Road.
§ 6. The Breadth of the Roads through incloſed Lands, to be at the Diſcretion of the Commiſſioners.
§ 7, page 423. The Inhabitants to work on the Roads when warned thereto.
§ 8. Trees reſerved to the Owners of the Lands, thro' which Roads are laid out.
§ 9. Where ſwinging Gates may be hung up.
§ 10. Penalty for ſtaking open ſuch Gates, or riding thro' Corn-Fields, *&c.*
§ 11, page 424. He that ſhall furniſh a Team, to be conſidered as having furniſhed two Men.
§ 12. In what Manner the Vacancy of a Commiſſioner ſhall be ſupplied.
§ 13. All their Proceedings to be entred on Record.
§ 14. Their Reward.
§ 15, The Inhabitants of *Oyatack* to repair the Road to *Hudſon*'s River.
§ 16, page 424, 425. The Surveyors to ſet the Inhabitants to work, when ordered by the Juſtices.
§ 17. Commiſſioners not to lay out as many Roads as may be deſired.
§ 18. A new Road from *Albany* to *Schenectady* to be laid out.

§ 19.

§ 19. Such Road not to be uſed by any Wheel-Carriage.

In New-York.

CHAP. 910, page 452, § 1.

THE Seſſions of *New-York* to appoint a Surveyor of the Road in *Bloomendale* Diviſion. His Duty, and that of the Inhabitants, in repairing the ſaid Road.

§ 2, page 453. The Penalty on the Surveyor's neglecting his Duty.

Hoggs.

See SWINE.

Hogſheads.

See CASKS.

Jeſuits.

See PRIESTS.

Immorality.

See alſo SUNDAY.

CHAP. 171, page 72, § 1.

ALL Chriſtians convicted of Drunkenneſs, Curſing or Swearing, before any Juſtice of the Peace, ſhall be fined for each Offence 3 *ſ.* to be levied on the Offender's Goods; and for Want of Effects, to be committed to the Stocks. The Diſtreſs to be ſold, and Overplus returned to the Owner. The Fines to be paid to the Overſeers of the Poor, who are to account to the Seſſions. All Slaves guilty, as aforeſaid, or talking impudently to Chriſtians, to be whipped.

Improvement of Lands.

CHAP. 3, page 3, § 1.

THE Freeholders of each Town may aſſemble together, and make ſuch prudential Rules and Orders, for the Improvement of their Lands, as ſhall be thought good by the Majority.

Impriſonment, *in the Counties.*

CHAP. 766, page 339, § 1.

IN what Caſes Offenders to be tried by Juſtices; and in what Manner.

§ 2, page 340. The Charge of the Proſecution, *&c.* to be defrayed by the County.

§ 3. Juſtices may fine Perſons, inſtead of inflicting corporal Puniſhment.

In the City of New-York.

CHAP. 767, pages 340, 341.

OFFENDERS, under the Degree of Grand Larceny, who can't give Bail, to be tried by the Mayor and Aldermen, who may inflict corporal Puniſhment; and, if the Offender is not an Inhabitant, order him out of the City and County.

§ 2, page 341. The Charge of the Proſecution to be defrayed by the City.

§ 3. This Act to be deemed a publick Act.

Indian Slaves.

See SLAVES.

Inn-Holders.

CHAP. 881, page 417, § 1.

INN-Holders not to ſell ſtrong Liquors to Servants or Apprentices, on Penalty of 40 *ſ.*

§ 2. Nor take Cloaths nor Pledges from them.

§ 3, pages 417, 418. Maſters, on Suſpicion of Liquors ſold to their Servants or Apprentices, may complain to a Magiſtrate; and the Inn-holder to purge himſelf by Oath: In ſuch Caſe the Plaintiff to pay the Coſts: But if he will not take the Oath, his Refuſal ſhall be deemed a Conviction, and Execution iſſue accordingly.

§ 4, page 418. Inn-holders not to give Credit to any but Travellers, beyond 6 *ſ.* or to loſe his Action, and pay double Coſts.

§ 5. Penalty for converting his Debt into Specialties, *&c.*

§ 6. When a Tavern-keeper ſues for a Debt of 6 *ſ.* and under, he ſhall ſwear the Sum ſued for to be the whole Debt.

Intereſt.

CHAP. 660, page 240, § 1.

THE Intereſt of Money fixed to 7 *per Cent.*

§ 2, page 241. The Fees of Scriveners, *&c.*

§ 3. How the Forfeitures are to be appropriated.

§ 4. This Act not to affect paſt Specialties.

Inteſtates Eſtates.

See alſo { LEGACIES, WILLS.

CHAP. 27, pages 14, 15, § 1.

IN every Town two Perſons to be elected, who ſhall repair to the Houſe of the Deceaſed forty-eight Hours after his Interment, and enquire if he made any Will, or left any Eſtate undeviſed. Enquiry to be made after the Eſtate of an Inteſtate. Inventory to be made, and brought before the Governor's Delegate, who ſhall iſſue a Warrant for the Appraiſement of the Goods left, and ſecure or ſell them, for the Benefit of thoſe who ſhall have Right to them. If any Children of the Inteſtate are Orphans, Superviſor to have Adminiſtration till the Orphans marry or attain the Age of twenty-one Years; before which, he ſhall have the Care of their Education.

§ 2, page 15. Wills relating to Eſtates in *Orange*, *Richmond*, *Weſt-cheſter*, or *King's* County, to be proved at *New-York*. In the other Counties the Common-Pleas to examine Witneſſes, and certify thoſe Examinations to the Secretary's Office. When the Common-Pleas Courts are not ſitting, the Judges of thoſe Courts and two Juſtices of the Peace, may examine Witneſſes to a Will, *&c.* Appeal from them and the Common-Pleas, to the Governor, before Probate.

§ 3, The Common-Pleas, or the Judges with two Juſtices, may grant Probate of a Will, *&c.* where the Eſtate does not exceed £. 50.

§ 4. Appeal to the Governor to be in three Months.

Iſlip Precinct.

See { ASSESSOR. COLLECTOR. CONSTABLE. SUPERVISOR.

Jury.

See alſo { COURTS. DOGS.

CHAP. 720, pages 300, 301, § 1.

WHAT ſhall be the Qualifications of Jurors in the City of *New-York*, and in the Counties; and the Words to be inſerted in the *Venires*.

§ 2, page 301. Jurors to be ſummoned ſix Days before the Time of Service.

§ 3. The County and Town-Clerks, upon Application, to deliver a Copy of the laſt Aſſeſſment to the Sheriff.

§ 4. No Perſon obliged to ſerve as Juror above once a Year.

§ 5. Officers taking Money to excuſe Perſons from ſerving on Juries, to be fined not exceeding £. 5.

§ 6. The Places of Abode of the Jurors, to be inſerted in the Pannel; and their Number not to be leſs than forty-eight, nor above ſeventy-two.

§ 7, page 302. Notice of the Time of the Trial of a Cauſe, to be given to the Judge at the ſame Time it is given to the adverſe Party; and the Names and Sirnames of the Jurors returned, to be annexed to the Writs, without further Fee than uſual; and the Sheriff to deliver Copies of the Pannel, if required, to the Parties litigant, or their Attornies.

§ 7, page 303. The Jurors ſummoned, to be balloted, and twelve to paſs on the Trial.

§ 8. Jurors, for Non-appearance, to be fined in a Sum not above £. 3, nor leſs than 13*ſ* 4. How Jurors ſhall be appointed for a View.

§ 9. How Jurors ſhall be ſtruck for Trials on Indictment or Information.

§ 10, page 304. The Party applying for a ſtruck Jury, ſhall pay the Expences thereof.

§ 11. The Juſtices of the Supreme Court impowered to ſit as Judges of *Niſi Prius*.

§ 12. What Jury ſhall ſerve on Trials of capital Caſes.

§ 13. The Jury-Act to be read one a Year at the Seſſions for every County, *&c.*

CHAP. 836, page 389, § 1.

The Jury-Act made perpetual.

§ 2. Inhabitants of the City of *Albany*, of £. 60 perſonal Eſtate, qualified for Jurors in the Mayor's Court there.

Kings-Bridge.

See POST-ROAD.

Land and Tide-Waiter.

See DUTIES.

Lands.

See also POSSESSION.

CHAP. 103, page 47, § 1.

PROPRIETORS of vacant Lands, in the Counties of *Albany*, *Weſt-cheſter*, and *Richmond*, who do not pay their Proportions of Quit-Rents, *&c.* liable to have Waſte committed on ſuch Lands; and thoſe who commit ſuch Waſte, are diſpuniſhable.

§ 2. And for ſuch Taxes, *&c.* in *Orange*, the Owners may be ſued before a Juſtice of the Peace.

Lanes.

See BUILDINGS.

Larceny.

See IMPRISONMENT.

Laws.

See also COURTS.

CHAP. 907, page 444, § 1.

PERSONS appointed to reviſe the Laws, *&c.*

§ 2. Their Reward for the Work.

§ 3. A Printer appointed, the Manner of compleating his Part; and his Reward.

§ 5, p. 445. The Time limited for the Perſons appointed to reviſe the Laws; in which they ſhall compleat their Work.

Law-Suits.

CHAP. 281, page 106, § 1.

ONE Debt may be ſet againſt another, and Payment pleaded, giving Notice of the Debt; and if the Plaintiff be overpaid, the Ballance to be certified by the Jury, which ſhall be recovered by *Scire Facias*.

Legacies.

See also INTESTATES ESTATES.

CHAP. 748, pages 315, 316, § 1.

BY whom and in what Manner, and in what Court, Legacies may be ſued for, and recovered. If there is not a Sum ſufficient to diſcharge all the Legacies, an Abatement ſhall be made in Proportion to the Legacies given. Infant Legatees may ſue by *Guardian* or *next Friend*.

§ 2. The Court to appoint Auditors to examine the Accounts of Executors, who ſhall report the State of ſuch Accounts, and the Proportion that ought to go towards paying the Plaintiff's Legacy, after the Payment of the Debts for which the Court ſhall award Execution; and may amend the Errors in the Accounts ſo reported.

§ 3. The Court to award the Coſts out of the Teſtator's Eſtate; or the Executors, if the latter hath been faulty.

§ 4. No Suit to be maintained for any Legacy, till lawful Demand made, and an Offer of two Sureties to the Executor, for refunding of what ſhall appear to be deficient to diſcharge the Debts, *&c.* If the Executor ſhall then refuſe to pay, the Bond to be filed in Court, or the Proceſs ſhall abate.

§ 5. Where no Time is limited for paying Legacies, one Year allowed.

§ 6, page 317. This Act to extend to Adminiſtrators *cum Teſtamento annexo*.

§ 7. All Perſons having Right to the Inteſtate's Eſtate, to have the like Remedy againſt Adminiſtrators as Legatees againſt Executors.

§ 8. Lawful Acts done by them before Notice of a Will, to ſtand good.

Liquors.

See also INN-HOLDERS.

CHAP. 904, page 441, § 1.

ALL ſpirituous Liquors and Molaſſes, to be gauged by the *Sliding-Gunter*.

§ 2, page 442. No Liquor to be ſold before it is gauged.

§ 3. Size of *Madeira* Wine-Pipes, Hogſheads, *&c.*

Line.

CHAP. 384, page 136, § 1.

THE Partition-Lines between *New-York* and *Connecticut* to be new run and aſcertained.

§ 2. Notice to be given to the Governor of *Connecticut* of running ſaid Lines.

Livingſton.

See MANOR.

Loan-

Loan-Office.

CHAP. 666, page 243; and CHAP. 667, page 258, *per totum*.

THE Nature of the Loan-Office; the Duty of the Officers; and the Form of the Securities to be taken for Money lent, *&c.*

Long-Island.

See NASSAU-ISLAND.

Lord's-Day.

See SUNDAY.

Lottery.

CHAP. 411, page 146, § 1.

ANY Perſon vending Goods by Lottery, Raffling, *&c.* to forfeit double the Value of them.

CHAP. 856, page 405, § 1.

No private Lottery to be ſet up, under Forfeiture of double the Value of which it ſhall conſiſt.

Lyon Dollars.

See DOLLARS.

Mame-Rating. *(Precinct of)*

See PRECINCT.

Manor.

See alſo ASSESSOR. COLLECTOR. REPRESENTATIVE.

Manor of Renſelaerwyck.

CHAP. 163, page 70, § 1.

HOW the Charge of this Manor is to be computed, levied and paid.

§ 3. The ſaid Manor ſhall not be intended to be divided from the County of *Albany*, nor be chargeable with the Reward for killing Wolves in that County.

Manor of Livingſton.

CHAP. 333, page 121, § 1.

THIS Manor annexed to the County of *Albany*.

§ 2. The Inhabitants of it annually to elect one Superviſor, Treaſurer, Aſſeſſor and Collector. The Wages of their Repreſentative to be equal to the Wages of the Repreſentative of any other Manor. The Inhabitants of it, ſubjected to that Charge, and exempted from the Charge of the County Repreſentatives.

Manor of Cortlandt.

CHAP. 607, page 220, § 2.

THE Freeholders of the Manor impowered to chuſe a Repreſentative.

§ 3. The returning Officer of the Manor to take Votes, *&c.* as the Sheriffs do in the Counties.

CHAP. 654, page 235, § 1.

The Manor to have one Superviſor, one Treaſurer, two Aſſeſſors, and one Collector.

§ 2, page 236. The Inhabitants ſubject to all publick Charges of the County of *Weſt-cheſter*.

§ 3. They ſhall be charged with the Wages of their own Repreſentative, but be exempted from the Charge of the Wages of the Repreſentatives of the County.

Manumiſſion.

See SLAVES.

Markets.

See alſo FAIRS.

CHAP. 26, page 11, § 1.

PUBLICK Markets may be kept at *Jamaica*, every Thurſday; at *Kingſton*, every Saturday; and at *Weſt-cheſter* every Wedneſday; to which all the Inhabitants and Sojourners in the Province may reſort with all Kinds of Merchandize, free from Toll.

Meaſures.

See WEIGHTS.

Meeting-Houſes.

See alſo CHURCH.

CHAP. 83, page 37, § 1.

TRUSTEES of every Town to make a yearly Rate for building a Church, *&c.* where wanting; and ſuch Rates to be levied by Diſtreſs, *&c.* by Warrant of a Juſtice, for the uſe of building or repairing Churches.

Milage.

CHAP. 866, page 412, § 1.

MILAGE in *West-chester* County, to be computed from the *White-Plains*.

§ 2. In *Orange* County, on the North of the Mountains, from *Goshen*; on the South Side, from the Court-House in *Orange-Town*.

Minister.

CHAP. 305, page 117, § 3.

NO Minister in *New-York*, to be chosen a Constable or Collector.

Ministry.

See also CHURCH.

CHAP. 36, page 19, § 1.

ONE Protestant Minister shall be called, inducted and established, in the City of *New-York*; one in the County of *Richmond*; two in the County of *West-chester*; and two in *Queen's* County.

§ 2. The Sums to be raised for their Maintenance; and the respective Proportions.

§ 3, 4, pages 19, 20. The Manner of raising those Sums, for their Support and Maintenance.

§ 5. The Payment to the Ministers to be quarterly.

§ 6. The Right of Presentation to be in the Vestry-men and Church-Wardens.

CHAP. 146, page 65, § 1.

If the Justices and Vestry-men, in each respective County, Parish, *&c.* shall not, within ten Days after the Vestry shall be chosen, lay a Tax for the Purposes in CHAP. 36; then any two Justices may do it in ten Days after such Neglect.

§ 2. All Payments to the Incumbents, for their Maintenance, to be made in current Money of the Province.

§ 3. How the Forfeitures for Neglect shall be applied.

§ 4, page 66. The Right of Presentation in the Vestry-men and Church-Wardens, in Case of Death, *&c.*

CHAP. 412, page 146, § 1.

The Vestry-men to take an Oath, before they enter upon the Execution of their Office.

CHAP. 782, page 350, § 1.

The Election of Vestry-men, in *Richmond* County, to be on the third Tuesday in *March*.

§ 2. Who shall be subject to the Fines, as in CHAP. 36, *&c.*

CHAP. 812, page 369, § 1.

The Number of Vestry-men to be chosen in *New-York*.

§ 2. Such Vestry-men to meet together to make Assessments.

§ 3, page 370. Vestry-men to take an Oath, to be administred by two Justices, *Quorum unus*.

Missionaries.

See PRIESTS.

Mollasses.

See LIQUORS.

Money.

See { PENCE. / INTEREST.

Mortgagor.

CHAP. 94, page 42, § 3.

MORTGAGOR in Possession, and receiving Profits, may vote for Representatives in Assembly.

Mulatto Slave.

See SLAVES.

Nassau-Island.

CHAP. 31, page 16.

THE Island commonly called *Long-Island*, shall be called the Island of *Nassau*, in all Grants and other Instruments.

Naturalization.

CHAP. 293, page 114, § 1.

FOREIGNERS inhabiting the Colony before the first of *November*, 1683, dying seized of real Estates, to be considered as Persons naturalized; and therefore Conveyances by them, and Estates derived from them, good.

§ 2. Such Foreigners alive at the passing this Act, may have the Privilege of natural-born Subjects.

§ 3. Foreigners that inhabited this Colony since 1683; who have purchased Estates,

conveyed them away, or have died ſeized of them; to be eſteemed as Perſons naturalized.

§ 4, page 115. Foreign Proteſtants inhabiting this Colony the 5th of *July*, 1715, to be eſteemed as natural-born Subjects.

§ 5. But to take the Oaths of Allegiance, *&c.* in nine Months, in ſome Court of Record, *&c.*

§ 6. The Court to give (if required) a Certificate of the taking the Oaths.

§ 7. Thoſe that die before the nine Months are expired, to be eſteemed natural-born Subjects.

Negroes.

See { SLAVES. EXCISE.

New-York.

CHAP. 584, page 207, § 1.

THE Mayor, Aldermen, and Commonalty, of the City of *New-York*, incorporated.

§ 2. All Letters Patent, *&c.* to the Corporation, declared good and valid.

§ 3, page 208. Such Inſtruments confirmed.

§ 4. All the Rights, Privileges, *&c.* of the City, confirmed.

Niſi Prius.

See JURY.

Oaths.

See IMMORALITY.

Office.

CHAP. 305, page 117, § 3.

NO Clerks of the Council, *&c.* nor any Perſon that has ſerved in the Corporation of *New-York*, in any Office ſuperior to thoſe of Conſtable or Collector, ſhall be choſen into thoſe Offices.

Orange.

CHAP. 202, page 80, § 1.

THE Bounds and Limits of the County of *Orange*. *See* COUNTY.

CHAP. 894, page 432, § 1.

Who may take the Probate of Wills in this County; and in what Caſes.

Oſwego.

CHAP. 764, page 326, § 1.

AN Impoſt laid on certain Goods, and granted to his Majeſty.

§ 2, page 327. Perſons carrying Goods to trade with the Indians, ſhall firſt enter the ſame with Commiſſioners, and give Bond to pay the Duties.

§ 3. On which Entry, a Certificate is to be given them by the Commiſſioners.

§ 4. This Act not to be eluded by cutting Strouds, *&c.* into ſmall Pieces.

§ 5. Goods ſold to the Indians in *Albany*, dutiable.

§ 6. The Duty on Goods returned un-ſold, to be remitted.

§ 7, page 328. The Commiſſioners ſuſpecting Perſons to carry Goods not entred, may ſummon them and oblige them to ſwear, and pay double Duty for ſuch Goods.

§ 8. Goods carried to be ſold without a Certificate, to be forfeited.

§ 9. Commiſſioners appointed.

§ 10, 11, page 329. The Commiſſioners Duty and Oath. To enter into Recognizance to do their Duty.

§ 12. Such Recognizance to be tranſmitted to the Province Treaſurer.

§ 13, page 330. Liquors paying Duty, to be exempted from Exciſe.

§ 14. Perſons carrying Goods to trade with the Indians, to enter into Recognizance. The Form of it.

§ 15. The Commiſſioners impowered to take ſuch Recognizances.

§ 16. All Perſons trading to *Oſwego*, beſides entring into ſuch Recognizances, to have a Certificate from the Commiſſioners, that the Duties are ſecured; or forfeit ſuch Goods.

§ 17, page 331. The Indian-Traders to take an Oath.

§ 18. The Penalty on Traders for Breach of ſuch Oath.

§ 19, page 332. The Commiſſary at *Oſwego*, every Week, to prove Liquors ſold to the Indians.

§ 20. Indians complaining of adulterated Liquor, the Commiſſary to examine it, and cauſe the ſame to be made good.

§ 21. The Commiſſary to prove all the Rum at *Oſwego*.

§ 22, page 333. Penalty for adulterating Rum, *&c.*

§ 23. Traders

§ 23. Traders not to imploy Indian Interpreters.
§ 24. Traders to fix their Huts at ſuch Places as the Commiſſary ſhall direct. Penalty on Traders uſing Art or Compulſion to fore-ſtall the Trade.
§ 25. The Commiſſary to prevent the Indians from being ill-uſed.
§ 26. The Traders Huts not to be deſtroyed in their Abſence.
§ 27, page 334. Penalty on Perſons who ſhall deſtroy the Trading-Houſes.
§ 28. The Governor to appoint a Commiſſary at *Oſwego*.
§ 29. If ſuch Commiſſary ſhall be in the Commiſſion for the Peace, he ſhall have the ſole Determination of all Controverſies relating to the Indian Trade at *Oſwego*.
§ 30. No Officer or Soldier poſted at *Oſwego*, permitted to trade.
§ 31, page 335. The Fines and Penalties, how to he recovered.
§ 32. Perſons ſued for executing this Act, may plead the General Iſſue; and if they obtain Judgment, they ſhall have treble Coſts.
§ 33. No Strong Liquors to be ſold to the Six Nations of Indians, in their reſpective Countries.
§ 34. The commanding Officer at *Oſwego*, on receiving the Proviſions contracted for, to certify the Receipt of them.
§ 35, page 336. Recital of the Contract to ſupply the Troops at *Schenectady*.
§ 36, page 337. The ſaid Contract ratified; and the Victualers to enter into Recognizances.
§ 37. Fifteen Ounces of Salt Meat to be deemed a Pound.
§ 38. The Sums to be paid; in what Manner, and to whom.
§ 39, 40. The Treaſurer of the Province to pay out thoſe Sums; and to keep exact Books of Accounts.
§ 41, page 338. How an Overplus of Money is to be diſpoſed of, or a Deficiency ſupplied.
§ 42. All Recognizances for Duties unpaid, to be in Force, *&c.*
§ 43. An Overplus of Money ariſing by this Act, to be re-paid to the Exciſe Fund.
§ 44. No Strong Liquors to be ſold to Indians within four Miles of *Schagkook* Church.

CHAP. 895, page 433, § 2.
New Commiſſioners appointed.

§ 3. Goods ſold in *Albany*, or at *Oſwego*, dutiable.
§ 4. Commiſſioners impowered to ſue for the Penalty of £. 50, in their own Names.
§ 5, page 434. Thoſe who carry Goods at the Carrying-Places, to keep the Roads in Repair.
§ 6. The Perſon who ſhall ſupply the Garriſon with Proviſions.

Dyſters.

CHAP. 672, page 265, § 1.
NON-Reſidents of the Colony, not to gather or take Oyſters in it.
§ 2, 3. The Commiſſioners for executing this Act, may enter on board the Veſſels of Offenders and ſeize their Oyſters, *&c.*
§ 4. And impowered to command Aſſiſtance for that Purpoſe.
§ 5. How the Proceſs to Condemnation ſhall be conducted.
§ 6. The Appropriation of the Seizures.
§ 7. Such as refuſe Entrance on board their Veſſels, to forfeit £. 50.

Packers.

See BEEF *and* PORK.

Panthers.

See WOLVES.

Papiſt.

See alſo PRIEST.

CHAP. 94, page 42, § 1.
NO Popiſh Recuſant ſhall vote for Repreſentatives in Aſſembly, or for any other Officers.

Pariſh.

See { EAST-CHESTER. / BRIDGE-HAMPTON.

Partition.

See LINE.

Patridges.

CHAP. 172, page 73, § 3.
WHEN and where not to be killed.

Patents.

See CHARTERS.

Pedlars.

See HAWKERS.

Pence.

CHAP. 655, page 236, § 1.

ALL Copper Pence more than 10 *s.* for every Head in each Veſſel, imported, to be forfeited.

§ 2, page 237. The Informer to have one Third clear, and the Coſts of Suit to be paid out of the other two Thirds.

§ 3. Maſters of Veſſels to make Report, on Oath, of all Copper Money they import, in twenty-four Hours after their Arrival, or forfeit £. 50, and the Value of all the Copper Money they import.

Phyſician.

CHAP. 305, page 117, § 3.

NO Phyſician, in *New-York*, to ſerve as Conſtable or Collector.

Pilots.

CHAP. 565, page 200, § 1.

PILOTS to be appointed by Warrant under the Hand and Seal of the Governor.

§ 2, pages 200, 201. The Fees of Pilots regulated.

§ 3. The Method of recovering them.

§ 4. The Penalty to which they are ſubject for Extortion.

§ 5. All Pilots to enter into Recognizance.

§ 6. page 202. The Penalty on ſuch Perſons that pilot Veſſels without Licence.

§ 7. Who are exempted from ſuch Penalty.

Pleading.

See LAW-SUITS.

Pond.

CHAP. 600, page 215, § 1.

WHAT relates to freſh Water Pond, in CHAP. 79, repealed.

Poor *in general.*

See COUNTY CHARGE.

Poor *in* Dutcheſs *County.*

CHAP. 754, page 322, § 1.

IN what Caſes Proviſion ſhall be made for the Poor. Such Proviſion to be added to the County Rates.

§ 2, page 323. The Superviſors to cauſe the ſame to be aſſeſſed.

Poor *in* Suffolk *County.*

CHAP. 855, page 404, § 1.

OVERSEERS of the Poor to be elected.

§ 2. Who, with the Juſtices, are impowered to make Orders for imploying and providing for the Poor.

§ 3, page 405. Their Children to be bound out Apprentices.

§ 4. Dwelling-Houſes to be provided for, and appropriated to, the Uſe of the Poor.

§ 5. The Overſeers ſucceſſively to deliver over to their Succeſſors, the Money in Hand, raiſed for the Uſe of the Poor.

Pork.

See BEEF *and* PORK.

Poſſeſſion.

See alſo LANDS.

CHAP. 216, page 84, § 1.

THE Poſſeſſion of Lands from the 30th of *October*, 1700, to the firſt of *September*, 1713, without claim by actual Entry, *&c.* ſhall be deemed a good Title.

§ 2, 3, page 85. A Saving to ſuch as ſue before the firſt of *September*, 1713, and to Infants, *Feme Covert*, *non ſanæ memoriæ*, *&c.*

Poſt-Road.

CHAP. 712, page 293, § 1.

THE Poſt-Road from *New-York* to *King's-Bridge*, to be repaired by the Inhabitants of *New-York*, (except thoſe of the Out-ward) as far as to the Houſe of *Joachim Anderſon*; from thence to the Limits of *Harlem*, by the People of the *Bowry* Diviſion; and from the ſoutherly Limits of *Harlem* to *King's-Bridge*, by the Inhabitants of *Harlem* Diviſion.

§ 2, pages 293, 294. The Court of General Quarter Seſſions to appoint Surveyors of the ſaid Road, who are to order the Inhabitants to repair it, under a certain Penalty.

§ 3.

§ 3. The Surveyors may imploy the Inhabitants on the ſaid Road, as often as it is neceſſary, except in Seed Time and Harveſt, &c.
§ 4. Surveyors, for Neglect of Duty, ſubject to a Forfeiture of £. 5.
§ 5, page 295. Diſputes about repairing the Road, to be ſettled by two Juſtices (*Quorum unus*) or the Quarter Seſſions.
§ 6. The Road from the *Spring-Garden* to run on a ſtrait Courſe.

Pounds.

See FENCES.

Precincts.

Precincts *in* Ulſter *County*.

CHAP. 751, pages 317, 318, § 1:
THE ſouthern Part of *Ulſter* County divided into three Precincts, *viz. Wallkill*, *Shawangoungh*, and *High-Land*.
§ 2. Lands annexed to the *New-Paltz* Townſhip.
§ 3. The Inhabitants of thoſe Lands impowered to elect Officers, in Conjunction with the Inhabitants of the *New-Paltz*.
§ 4, page 319. The ſaid three Precincts impowered to elect Officers, &c.
§ 5. The Time and Place of meeting for the Inhabitants of *Wallkill* Precinct.
§ 6. Time and Place of the meeting of the Inhabitants of *Shawangoungh* Precinct.
§ 7. Time and Place of meeting of the Inbitants of *High-Land* Precinct.
§ 8. The Powers granted to the Superviſors and Collectors, &c. of thoſe Precincts.
§ 9. *Kingſton* and *Fox-hall* impowered to chuſe an additional Superviſor.
§ 10, page 320. *Mame-Kating* Precinct erected and impowered to chuſe one Conſtable, &c.
§ 11, 12. The Superviſors to take an Oath, and meet annually.
§ 13. The Superviſors to iſſue their Warrants to the Aſſeſſors, to rate the Eſtates of the Inhabitants. The Aſſeſſors Oath.
§ 14, page 321. A Liſt of all the Officers Names to be tranſmitted to the Clerk of the Peace.
§ 15. The Time for electing the additional Superviſors.
§ 16. Taxes in Arrear, to be paid off.
§ 17. What Road ſhall be kept in Repair by the Inhabitants of *Shawangoungh* Precinct.

Precincts *in* Dutcheſs *County*.

CHAP. 756, page 323, § 3.
THE Extent of the South Precinct. *Beekman*'s Precinct. *Crom-elbow* Precinct; and the North Precinct.

Prieſts.

CHAP. 84, page 38, § 1.
POPISH Prieſts to depart the Province by the firſt of *November*, 1700.
§ 2. Such as remain after that Limitation, to ſuffer perpetual Impriſonment; and for Breach of Priſon, to ſuffer Death as a Felon.
§ 3. Thoſe that receive them, knowing them to be ſuch, to forfeit £. 200, be ſet in the Pillory, and bound to their good Behaviour.
§ 4. Juſtices to convene ſuch Prieſts before them, and commit them to Priſon. Any Perſon, without Warrant, may bring them before the Governor, or two of the Council; for which they ſhall be rewarded.
§ 5, page 39. But ſuch as are driven into the Province by Ship-wreck, &c. are exempted from theſe Severities, upon a Conformity to Direction, and departing by the firſt Opportunity.

Privateers and Pirates.

CHAP. 67, page 26, § 1.
ANY Perſon ſerving under a foreign Prince, in a hoſtile Manner, againſt any Prince in Amity with the King, without Licence, ſhall ſuffer Death without the Benefit of Clergy.
§ 2. Crimes done in the Admiral's Juriſdiction, to be tried, &c. as if committed *infra Corpus Comitatus*. Commiſſioners to be appointed, who are as fully impowered as thoſe appointed by Virtue of 28 *Hen.* VIII. They, and all Officers acting under this Act, enabled to plead the General Iſſue, and give this Act in Evidence.
§ 3, page 27. They who harbour, &c. Offenders, to be proſecuted as Acceſſaries.
§ 4. Commiſſion Officers impowered to levy Men, to ſeize and commit Offenders againſt this Act, and to kill thoſe that reſiſt. The Clergy taken away from thoſe that reſiſt. Officers for Neglect of Duty, to forfeit £. 50; and thoſe that

refuſe to bear Arms under them, to be tried by a Court-Martial.

Probate.

See INTESTATES ESTATES.

Publick Charge.

See VAGABONDS.

Pumps and Wells *in* New-York.

CHAP. 719, pages 297, 298, § 1.
THE Alderman and Aſſiſtant of each Ward to view the Wells and Pumps, and appoint Overſeers of the ſame; to whom they ſhall give Notice, and limit the Houſes to which the Wells and Pumps ſhall belong; and in Caſe a Well or Pump ſtands where two or more Wards join, the Alderman and Aſſiſtant of each of ſuch Wards, to ſettle how many Houſes in each of ſuch Wards it ſhall belong to.
§ 2. The Overſeers to cauſe each Well and Pump to be put in good Order.
§ 3. The Overſeers to give an Account, on Oath, to the Aldermen, what Money they have laid out, in repairing the Pumps and Wells; and for ſuch Sum the Inhabitants ſhall be aſſeſſed.
§ 4, page 299. In Caſe of Refuſal to pay Aſſeſſment, the ſame to be levied by Diſtreſs, *&c.*
§ 5. The Overſeers to take an Oath for the impartial Aſſeſſment of the Freeholders, *&c.*
§ 6. The Overſeers, for Neglect of Duty, to forfeit £. 5, to be applied to the repairing the Wells, *&c.*
§ 7. Such as willfully damage the Wells or Pumps, liable to a Fine of 40 *ſ.*

Pypowder. *(Court of)*

See FAIRS.

Pirates.

See PRIVATEERS *and* PIRATES.

Quails.

CHAP. 172, page 73. § 3.
WHEN they may be killed, and when not.

Quakers.

CHAP. 603, page 217, § 2.
ALL the Statutes of *England*, in Force, giving Indulgence to Quakers, extended to this Province.
§ 3, page 218. Such as are not publickly known to be Quakers, before they ſhall be admitted to affirm, ſhall produce a Certificate from the quarterly Meeting.

Quit-Rents.

CHAP. 103, page 47, § 2.
THE Juſtices of the Peace in *Orange*, impowered to hold Cognizance of Suits for Proportions of Quit-Rents, *&c.*
CHAP. 133, page 56, § 3.
The Superviſors, Aſſeſſors and Collectors of the reſpective Towns, impowered to pay the yearly Quit-Rents; and the Manner of raiſing them.

Raffling.

See LOTTERY.

Renſelaerwyck.

See MANOR.

Rates.

Rates *in* Orange *County.*

CHAP. 103, page 47, § 2.
THE Juſtices in *Orange*, impowered to hold Cognizance of Suits for Proportions of Rates, *&c.*

Rates *in* Richmond *County.*

CHAP. 460, page 166.
THE Time limited for the Collectors to pay in the Rates to the Treaſurer.

Rates *in* Suffolk *County.*

CHAP. 760, page 312, § 1.
THE Arrearages of the County Rates to be collected and paid to the Treaſurer.
§ 2. Where Aſſeſſors, *&c.* have not been choſen, the Sheriff to collect Arrearages by Warrant of the Superviſors. Thoſe that refuſe, ſubject to Diſtreſs, *&c.*

Removal of Actions.

See ACTIONS.

Re-packers.

See BEEF *and* PORK.

Repreſentatives.

See alſo { ASSEMBLY. ELECTION.

CHAP. 99, page 45, § 1.

WAGES of the Repreſentatives to be 6 *ſ. per Diem.*

§ 2. Every City and County to pay their own Repreſentatives, after their Return.

CHAP. 150, page 67, § 2.

The Wages of the Repreſentative of the Manor of *Renſelaerwyck*, to be 10 *ſ. per Diem*; and the Inhabitants thereof exempted from any other Repreſentative.

CHAP. 153, page 68, § 1.

The Burgeſs of *Weſt-cheſter* allowed 10 *ſ. per Diem.*

CHAP. 333, page 121, § 3.

The Wages of the Repreſentative of the Manor of *Livingſton*, to be equal to the Wages of the Repreſentatives of any other Manor.

CHAP. 353, page 130, § 1.

The Wages of the Repreſentative of *Schenectady*, to be 10 *ſ. per Diem.*

§ 2. The Manner in which it is to be raiſed.

CHAP. 429, page 150, § 1.

The Repreſentatives of *Albany* to have 10 *ſ. per Diem.* The Inhabitants of the Manors of *Renſelaerwyck* and *Livingſton*, and of the Town of *Schenectady*, exempted from the Charge of any other than their reſpective Repreſentatives.

CHAP. 537, page 184, § 1.

The Repreſentatives of *Suffolk* County to be allowed for their Wages, each 9 *ſ. per Diem.*

CHAP. 654, page 236, § 3.

The Wages of the Repreſentative of the Manor of *Cortlandt*, to be 6 *ſ. per Diem.*

Roads.

See HIGH-WAYS.

Rules and Orders.

See IMPROVEMENTS.

Rum.

See { DUTY. LIQUORS.

Sabbath.

See SUNDAY.

Schenectady.

CHAP. 488, page 172, § 1.

JUSTICES living at *Schenectady*, to direct that the Streets of the Town be cleaned. Every Day's Diſobedience of ſuch Direction, to be puniſhed by a Forfeiture of 6 *ſ.* Juſtices annually to make Orders for regulating the Streets; and to puniſh, by Fines, ſuch as break them.

§ 2, page 173. Juſtices to meet annually, and elect Overſeers of Chimnies and Ovens. The Overſeers impowered to make Orders for regulating them; and to remove ſuch Ovens, as, by Reaſon of their near Situation to Houſes and Barns, are dangerous.

Servants.

See INN-HOLDERS.

Sheep.

See { HAMPSTEAD-PLAINS. CATTLE. DOGS.

Shelter-Iſland.

CHAP. 537, page 184, § 4.

THE Inhabitants impowered to chuſe two Aſſeſſors and one Collector, annually.

Shawangoungh.

See PRECINCT.

Shrub.

See DUTY.

Slaves.

See alſo { DUTY. IMMORALITY.

CHAP. 160, page 69, § 1.

THE baptizing of any Negro, Indian, or Mulatto Slave, ſhall be no Manumiſſion.

§ 2. Every Negro, Indian, Mulatto, or Meſtee Baſtard Child, ſhall follow the Condition of the Mother.

§ 3. No Slave to be admitted to be a Witneſs againſt a Freeman.

CHAP. 171, page 72, § 1.
All Slaves guilty of Drunkenneſs, Curſing, Swearing, or talking impudently to Chriſtians, ſhall be publickly whipped.
CHAP. 263, page 96, § 7.
No Retailer of Strong Liquors to ſell Strong Liquors to any Negro or Indian Slave, under the Penalty of 40 *ſ.*
CHAP. 560, page 193, § 1.
No Perſon to trade with Slaves, without the Conſent of their Owners.
§ 2, page 194. Nor to ſell Strong Liquors to them.
§ 3. Owners of Slaves may puniſh them at Diſcretion, not extending to Life or Limb.
§ 4. Not above three Slaves to meet together, unleſs about ſome ſervile Imployment.
§ 5, pages 194, 195. Every City, Town, and Manor, may appoint a common Whipper for their Slaves. The Puniſhment to be inflicted on Slaves for ſtriking a white Man.
§ 6, page 195. The Penalty for harbouring Slaves.
§ 7. The Penalty on Maſters for compounding for the Crimes of their Slaves.
§ 8. And on ſuch who do not diſcover thoſe that harbour Slaves.
§ 9, page 196. And alſo on free Negroes that entertain Slaves.
§ 10. The Method to be taken to intitle Slaves to a Freedom on a Manumiſſion.
§ 11, pages 196, 197. The Owners of Slaves ſhall make good all Damages done by them to the Value of £. 5.
§ 12. The Evidence of Slaves good only againſt other Slaves.
§ 13, and 14. In what Manner, and before whom the Trial of ſuch Slaves ſhall be, that are guilty of capital Crimes.
§ 15, page 198. Slaves may be tried by a Jury, if their Owners deſire it.
§ 16, 17, 18, and 19. How the Charge of proſecuting and executing Slaves ſhall be defrayed.
§ 20. The Penalty on Slaves that carry Arms.
§ 21. The Penalty on Juſtices of the Peace and other Officers, that ſhall neglect the Duty enjoined upon them relating to Slaves.

Squirrels.

CHAP. 172, page 73, § 1.
THE Reward for killing them in *Suffolk*, *Queen's* and *King's* County, *Three Pence* each.

Stallions.

CHAP. 604, page 218, § 1.
ANY Perſon may geld ſuch Stallions running at large, that are two Years old, and under 14 Hands high, for which the Owner ſhall pay him 20 *ſ.*
§ 2. pages 218, and 219. But firſt the Stallion ſhall be meaſured, *&c.* before a Juſtice of the Peace.

Strong Liquors.

See EXCISE. DUTY. LIQUORS.

Sunday.

See alſo IMMORALITY.

CHAP. 52, page 23, § 1.
THERE ſhall be no travelling, ſervile Labour, nor unlawful Exerciſes, on the Lord's-Day. Tranſgreſſors to forfeit 6 *ſ.* to the Uſe of the Poor; to be levied by Diſtreſs, *&c.* If Payment of the Forfeiture is not made, the Offender to be put in the Stocks. Slaves, *&c.* offending, to be whipp'd. Perſons ſued for executing this Act, may plead the General Iſſue, and give the ſpecial Matter of Juſtification in Evidence. No Perſon to be ſued but in a Month after the Offence, *&c.* This Act ſhall not affect Perſons going to Church, Acts of Neceſſity, the Poſt, Phyſicians, Midwives, and Indians not profeſſing Chriſtianity.

Supervisors.

DUTY *of* SUPERVISORS *in general.*

See alſo COUNTY-CHARGE. PRECINCTS.

CHAP. 223, page 87, § 1.
THE Inhabitants of *Iſlip*, in *Suffolk County*, to chuſe annually one Superviſor.
CHAP. 333, page 121, § 2.
The Inhabitants of the *Manor of Livingſton* impowered to chuſe a Superviſor.
CHAP. 354, page 130, § 1.
The Inhabitants of *Cats-Kill* and *Coxhacky*, annually to chuſe a Superviſor.
CHAP. 379, page 134, § 1.
The Inhabitants of *Haverſtraw*, annually to chuſe one Superviſor.

CHAP.

CHAP. 433, page 151, § 1.
The Inhabitants of every Town, Manor, Liberty and Precinct in *Weſtcheſter-County*, annually to chuſe a Superviſor. Where there is no Election made in a Manor, the Owner, or his Steward, to be the Superviſor.
§ 2, page 152. Their Wages to be a Charge on their Electors.
§ 3. The Time when they ſhall meet, and the Method of notifying their Adjournments, and what Number of them ſhall be inveſted with a ſufficient Power to act.

CHAP. 537, page 183, § 1.
The Time of the Superviſors annual Meeting in the County of *Suffolk*, to be on the laſt Tueſday in *October*.
§ 3, page 184. The Wages of the Superviſors to be paid by the reſpective Towns for which they act.

CHAP. 804, page 364, § 1.
The Superviſors of *Weſtcheſter*, to meet at *Rye*.

Support of Government.

See DUTY.

Surgeon.

See CHIRURGEON.

Swearing.

See IMMORALITY.

Swine.

CHAP. 547, page 187, § 2.
NO Swine to run at large in *New-York*, *Weſt-cheſter*, *Queen's* and *Richmond* County.
§ 3. Such Swine to be impounded.
§ 4. They ſhall not be delivered till a Reward is paid to the Impounder; who, if the Reward is not paid to him, may ſell the Swine at Vendue.
§ 5. None but Freeholders and Inhabitants may impound.
§ 6. Where Damage is done by Swine, the Perſon damnified to take his Action at Law.

CHAP. 664, page 242, § 2.
Swine Damage feaſant, in *Orange* County, to be impounded; for which the Proprietor ſhall pay 3 *ſ.* and all Damages.
§ 3. If Swine impounded are not redeemed in twenty-four Hours after Notice, they ſhall be forfeited and ſold.
§ 4. The ſame Methods to be taken with Swine doing Damage in divers Precincts in *Ulſter* County.

CHAP. 809, page 368, § 1.
Swine running at large in *Dutcheſs* County to be impounded; and the Damages they ſhall do, to be aſcertained by a Juſtice, *&c.*
§ 2. The Swine to be ſold, if not redeemed in forty-eight Hours after Notice.

Tare.

See { FLOUR. / CASK.

Tavern-keeper.

See INN-HOLDERS.

Tax.

See alſo MINISTRY.

CHAP. 103, page 47, § 2.
THE Juſtices in *Orange*, to have Cognizance of Suits for Proportions of Taxes, *&c.*

CHAP. 305, page 117, § 1.
Any Conſtable or Collector of *New-York*, proving inſolvent, or withdrawing himſelf with the Taxes, the Inhabitants of the Ward to make good the Damage.

CHAP. 718, page 296, § 1.
The Veſtry-men may tax Perſons coming into their reſpective Wards, after the Aſſeſſment of the Miniſter and Poor Tax is compleated; and demand an Account, on Oath, of the Value of the Merchandize brought into the Ward; and deliver the Names of ſuch Perſons to the Conſtable, who is to collect the Taxes, *&c.*
§ 2. Any Perſon refuſing to deliver an Account of the Value of the Merchandize ſo brought in, ſhall forfeit £. 5.
§ 3. The Veſtry-men for Neglect of Duty, to forfeit £. 5.

CHAP. 740, page 312, § 1.
Collectors and Conſtables converting the Taxes to their own Uſe, the Deficiency thereupon to be made up by the ſucceeding Tax, *&c.*
§ 2. The Juſtices and Veſtrymen, *&c.* for Neglect of Duty, ſubject to the like

Penalties as in the former Acts, by which Taxes have been laid.

§ 3, page 313. The Executors of Collectors and Conſtables committing Fraud, liable.

CHAP. 769, page 342, § 1.

Deficiencies happening in collecting Taxes in *Albany*, to be added to the ſucceeding Tax.

§ 2. Supervifors and Collectors injoined to comply with this Act.

§ 3, page 343. Fraudulent Collectors to make good Deficiencies to the Perſons damnified.

CHAP. 825, page 373.

A Tax laid on all Eſtates real and perſonal, to raiſe £. 13,000.

CHAP. 832, page 381.

A Tax for raiſing the Sum of £. 40,000, laid on all Eſtates real and perſonal.

CHAP. 845, page 393.

The Manner of collecting, and the Penalty for neglecting to collect the Taxes laid by CHAP. 825 and 832.

CHAP 854, page 395.

A Tax of £. 28,000, laid on all Eſtates real and perſonal; and the Manner of raiſing it.

Tide-Waiter.

See DUTY.

Tierce.

See CASK.

Tonnage.

CHAP. 611, page 221, § 1.

VESSELS to pay a Duty of 3*ſ. per* Ton.

§ 2, 3, page 222. What Veſſels are exempted from this Duty.

§ 4. Maſters of Veſſels to make Report of their Arrival.

§ 5, 6. The Penalty for Neglect and falſe Report.

§ 7, page 223. When the Duty of Tonnage ſhall be paid.

§ 8. How the Veſſels are to be meaſured.

§ 9. The Penalty on the Officers of the Cuſtoms for Neglect of Duty.

§ 10. The Nature of their Duty.

§ 11, page 224. The Uſes to which the Monies ariſing by the Duty of Tonnage, are to be appropriated.

CHAP. 622, page 225.

The Reward to be paid to the Treaſurer.

CHAP. 880, page 415, § 1.

What Veſſels ſhall be deemed Coaſting Veſſels.

§ 3, page 416. An Oath to be taken by Maſters of Veſſels, before the Province Treaſurer, that ſuch Veſſel is a Coaſting Veſſel, *&c.*

§ 4. Maſters to make Report of their Arrival to the Treaſurer.

§ 5. Diſpoſal of Surplus Money.

§ 6. The Currency of the Bills of Credit ſtruck by the Tonnage Act, to be continued.

Treaſurer.

See COUNTY CHARGE.

Treſpaſs.

See alſo LANDS.

CHAP. 72, page 28, § 1.

PERSONS cutting or carrying off Wood, *&c.* from Lands in the Right and Poſſeſſion of others, or from Commons in which they have no Right, ſubject to a Forfeiture; if under £. 5, to be recovered before a Juſtice; if above, in the Common-Pleas Court. The Penalty for the ſecond Offence, 40*ſ.* or one Month's Impriſonment.

§ 2. If the Defendant plead a Right, a Record muſt be made, and a Recognizance entred into, that he will become Plaintiff in a Suit at the next inferior Court, for Trial of that Right.

page 29. The Juſtice muſt certify the Proceedings before him, to the Court; and if the Defendant before the Juſtice, neglect to bring ſuch Suit, *Scire Facias* to iſſue for the Penalty in the Recognizance. If the Treſpaſſer is caſt, he ſhall pay treble Damages and Coſts. If the Defendant, before the Juſtice, refuſe to enter into ſuch Recognizance, the Juſtice ſhall proceed to give Damages, if the Party is guilty, and if force is found, to aſſeſs a Fine.

Turkeys.

CHAP. 172, page 73, § 3.

WHEN they may be killed, and when not.

Uſury.

See INTEREST.

Ulſter.

See alſo { FENCES. SWINE. PRECINCTS. HIGH-WAYS.

CHAP. 94, page 42, § 4.
DUTCHESS annexed to *Ulſter*, and the Inhabitants of that County enabled to vote for Repreſentatives in *Ulſter*.

Vagabonds.

See alſo { COUNTY-CHARGE, VAGRANTS.

CHAP. 6, page 4, § 4.
ALL Perſons coming to inhabit in this Province, not having a viſible Eſtate, or manual Occupation, ſhall give Security.
§ 5. Such as have manual Occupations ſhall, in eight Days after their Arrival in any City, &c. apply to the Perſons appointed to govern the ſame.
§ 6. All Maſters of Veſſels bringing Paſſengers into the Province, ſhall, within 24 Hours after Arrival, bring a Liſt of them, with their Qualities and Conditions, to a Magiſtrate under the Penalty of £. 10.
§ 7. They ſhall re-tranſport ſuch as they bring in, that cannot give Security for their good Behaviour.
§ 8. page 5. The Conſtable may return Vagabonds, &c. removing from one Town to another, to the Place from whence they came.

Vagrants.

See alſo VAGABONDS.

CHAP. 410, page 143, § 1.
HOUSEHOLDERS to give an Account of Strangers lodging in their Houſes. Juſtices of the Peace impowered to ſend Vagrants to the Place from whence they laſt came. Houſholders who do not give an Account of Strangers lodging in their Houſes, to enter into Recognizance, that they ſhall not become a Charge.
§ 1, page 144. If ſuch Houſholder is not a ſufficient Surety, the Vagrant ſhall be tranſported at the Charge of the County.
§ 2. The Penalty on ſuch as return after Tranſportation.
§ 3, pages 144, 145. On ſuch as tranſport themſelves into this Province from Places where Licence for that Purpoſe ought, by the Law of the Place from whence they came, to have been firſt obtained.
§ 4, page 145. All Maſters of Veſſels to make Report of ſuch Perſons as they ſhall import.
§ 5. And re-tranſport, under the Penalty of £. 50, all ſuch as are likely to be a public Charge, or give Security.

Venire.

See JURY.

Veſſels.

See alſo TONNAGE.

CHAP. 452, page 163, § 1.
WHAT Veſſels and Goods need not be entred at the Cuſtom-Houſe.

Veſtry-Men.

See MINISTRY.

Waggons.

CHAP. 606, page 219.
THE Breadth of Waggons in *Dutcheſs County*, aſcertained.

Wallkill.

See PRECINCT.

Waſte.

See LANDS.

Weigh-Houſe.

CHAP. 32, page 16, § 1.
WHAT Goods ſhall be brought to the Weigh-Houſe, and pay Duty.
§ 2. Perſons voluntarily bringing Goods not mentioned in the Act, ſhall pay after the Rates and Duties by the Act eſtabliſhed
§ 3. Perſons importing or exporting, or buying, ſelling, &c. any of the Goods, &c. expreſſed in the Act, without weighing them, as aforeſaid, and paying the Rates and Duties, ſhall pay for every Neglect, 2 ſ 6 for every Hundred Weight.

§ 4, page 18. No Freeholder to be compelled to bring his Goods to be weighed, who will ſwear they are his own Property.

Weights and Meaſures.

CHAP. 138, page 58, § 3.

WEIGHTS and Meaſures to be according to the Standard of the Exchequer, under the Penalty of 20 *ſ.*

§ 4, page 59. Perſons to be appointed by the Governor, to mark all Weights and Meaſures.

Wells and Pumps.

See PUMPS.

Weſt-cheſter.

See HIGH-WAYS.

Whaling.

CHAP. 167, page 71, § 4.

NO Indian bound a Whale-fiſhing between the 1ſt of *November*, and 15th of *April*, ſhall be detained, except for any Contract relating to the Whale-fiſhing, on Penalty of treble Coſts.

§ 2. No Perſon to purchaſe, *&c.* from ſuch Indians any Neceſſaries, nor ſupply them with Drink. How the Forfeitures are to be recovered.

Wharfage.

CHAP. 784, page 351, § 1.

WHARFAGE to be paid for Veſſels upwards of 60 Tons.

§ 2. Veſſels only faſt at ſaid Warfs, to remove, for others to load and unload.

§ 3. Rates for Veſſels making faſt to others.

§ 4. Rates for Veſſels under 60 Tons.

§ 5. Small Veſſels to give Place to larger, or pay large Rates.

§ 6. A Wharfinger may be appointed to collect the Rates.

§ 7, 352. Wharfs not to be encumbered.

§ 8. This Act not to impair the Rights of the City of *New-York*.

Whippers.

See SLAVES.

Wills.

See alſo INTESTATES ESTATES.

CHAP. 894, page 432, § 1.

JUDGES and Juſtices of Common Pleas, in *Orange* County, impowered to take the Probate of Wills.

Wine.

See { DUTY. LIQUORS.

Wolves and Panthers.

CHAP. 113, page 48, § 1.

REWARD for killing them in *Suffolk*, *King's* and *Queen's* County.

§ 2, page 49. In *Weſt-cheſter*.

§ 3. In *Albany*.

§ 4. In *Ulſter* County.

§ 5. In *Richmond* County.

§ 6. The Manner of procuring the Reward.

§ 7, 8. The Manner of raiſing the ſeveral Rewards.

CHAP. 172, page 72.

The Reward for killing Wolves in *Suffolk*, *Queen's* and *King's* County, £. 5; every Whelp £. 2 - 10.

CHAP. 319, page 119, § 1.

The Reward for every grown Wolf not killed by an Indian, in *Weſt-cheſter*, £. 2; every Whelp 20 *ſ.*

§ 2. To an Indian for a grown Wolf, 20 *ſ.* for a Whelp, 10 *ſ.*

CHAP. 736, page 310, § 1.

The Reward for deſtroying every grown Wolf and Panther, in *Ulſter*, *Dutcheſs* and *Orange*, 20 *ſ.* and for a Whelp, 10 *ſ.*

§ 2. The Method to be taken to become intitled to the Reward; and the Manner of raiſing it.

§ 3, page 311. The Superviſors to order the Money to become due by this Act, to be paid to the County Treaſurer; and he to pay as directed by the Superviſors.

§ 4. Wolves and Panthers killed by Slaves, the Reward to be paid to their Owners.

CHAP. 875, page 414, § 2.

Reward for killing Wolves and Panthers in *Ulſter*, *Dutcheſs* and *Orange*, 12 *ſ.* their Whelps, 6 *ſ.*

CHAP. 890, page 430, § 1, 2.

Reward for killing Wolves in the County of *Albany*, and the Manner of raiſing it.

FINIS.

ERRATA.

IN the Margin oppoſite to CHAP. CXXXIV. add, *Expired by the Death of Mr.* Veſey, 10*th July*, 1746.
In the Margin oppoſite to CHAP. CXXXVI. for *Chap.* 6. read *Chap.* 122.
In the Margin oppoſite to Sect. IV. of CHAP. CXC. Sect. XIII. of CHAP. CCLXXX. Sect. IX. of CHAP. CCXCII. Sect. VI. of CHAP. CCCLXVII. Sect. XVI. of CHAP. CCCCXXXVI. Sect. XXII. of CHAP. CCCCXLVII. and Sect. X. of CHAP. DLI. read, *Repealed, and provided for by Chap.* 861. And oppoſite Sect. III. of CHAP. CCVII. and Sect. XII. of CHAP. CCCXCIX. read, *In Part repealed, and provided for by Chap.* 861.
In the Margin oppoſite to Sect. I. of CHAP. CCCCXI. for, *treble*, read *double*.
In the Margin of Sect. VIII. of CHAP. DCLVI. for, *of*, read *above*. And,
In the Margin of CHAP. DCCLIV. read. *Continued by Chap.* 896.